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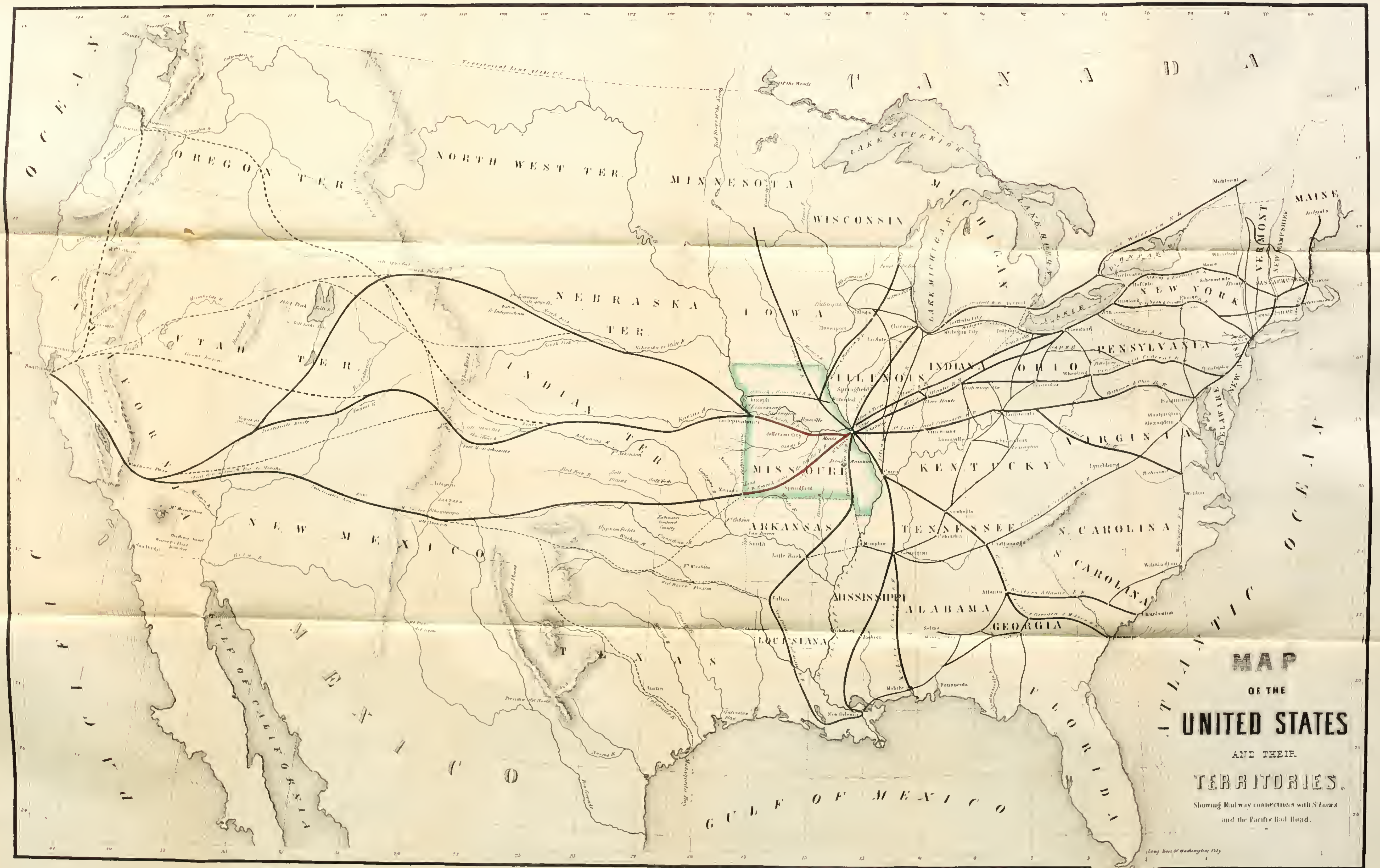

LITH OF SARONY & MAJOR N.Y.

UNITED STATES OF AMERICA.

DOCUMENTS

EXHIBITING THE

Organization, Condition and Relations,

OF THE

PACIFIC RAILROAD,

OF THE

STATE OF MISSOURI.

NEW YORK:
BAKER, GODWIN & CO., PRINTERS,
CORNER NASSAU AND SPRUCE STREETS.
1853.

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DIRECTORS AND OFFICERS

OF

THE PACIFIC RAILROAD.

FOR 1853.

DIRECTORS.

HUDSON E. BRIDGE,	of St. Louis.
JAMES E. YEATMAN,	"
JOHN C. RUST,	"
THOMAS ALLEN,	"
HENRY L. PATTERSON,	"
EDWARD WALSH,	"
DANIEL D. PAGE,	"
D. A. JANUARY,	"
J. B. BRANT,	"
JAMES HARRISON,	"
ALBAN H. GLASBY,	"
LUTHER M. KENNETT,	"
R. S. ELLIOT.	"

OFFICERS.

THOMAS ALLEN,
PRESIDENT.

L. M. KENNETT,
VICE PRESIDENT.

SAMUEL COPP, Jun.
SECRETARY AND TREASURER.

F. L. BILLON, Auditor.

THOMAS S. O'SULLIVAN
ENGINEER IN CHIEF

UNITED STATES OF AMERICA.

PACIFIC RAILROAD COMPANY OF THE STATE OF MISSOURI.

CHARTER.

AN ACT TO INCORPORATE THE PACIFIC RAILROAD

Be it enacted by the General Assembly of the State of Missouri as follows:

SEC. 1. A company is hereby incorporated, called the Pacific Railroad, the capital stock of which shall be ten millions of dollars, to be divided into shares of one hundred dollars each; the holders of which, their successors and assigns, shall constitute a body corporate and politic, and by the name aforesaid, shall have continued succession, may sue and be sued, plead and be impleaded, defend and be defended against, and may make and use a common seal, and shall be able, in law and equity, to make contracts; may take, hold, use, possess, and enjoy the fee simple or other title in and to any real estate, and may sell and dispose of the same; may make by-laws, rules and regulations proper for carrying into effect the provisions of this act, not repugnant to the constitution or laws of the United States, or of this State, and shall have the usual and necessary powers of companies for such purposes.

SEC. 2. John O'Fallen, Louis V. Bogy, James H. Lucas, Edward Walsh, George Collier, Thomas B. Hudson, Daniel D. Page, Henry M. Shreve, James E. Yeatman, John B. Sarpy, Wayman Crow, Joshua B. Brant, Thomas Allen, Robert Campbell, Pierre Chouteau, jr., Henry Shaw, Bernard Pratte, Ernest Anglerodt, Adolphus Meier, Louis A. Benoist, and Adam L. Mills, or any nine of them, shall constitute the first Board of

Directors under this act, and shall hold their offices until their successors shall be qualified. They shall meet at such time and place as shall be designated by any three of them, and organize as a Board of Directors, and when organized they shall cause books to be opened for the subscription of the capital stock of said company, at such times and places as they may designate under the supervision of such persons as they may appoint, and may continue them open so long as they may deem proper, and may re-open such books, when necessary, until the whole stock shall be subscribed.

Sec. 3. So soon as two thousand shares shall be subscribed, the Directors shall cause an election to be held for nine Directors, at such time and place as they may appoint, and give notice of it in two or more public newspapers.

Sec. 4. [Amended. See Sec. 1 of amendments.]

Sec. 5. The Directors shall appoint agents, clerks, engineers, superintendents, and other officers and servants for said company; shall keep a journal of their proceedings; shall cause correct books and accounts to be kept; they may determine by by-laws what number of Directors shall constitute a quorum, and may appoint committees and fill all vacancies in any office under said company; they shall fix the salaries of the President, and the officers and agents; but no Director shall receive any compensation for his services as such. They may take security from their officers and agents, and may adopt such measures and do such acts as will be best calculated to promote the prosperity and usefulness of said company.

Sec. 6. The Directors shall make and advertise calls for the payment of the capital stock, at such times and in such manner as they may deem proper, and if any stockholder shall fail to pay any such requisition within ten days after the time appointed, the said company may recover the same with interest, and if not collected may declare the stock forfeited and sell the same; and no delinquent stockholder shall vote in said company.

Sec. 7. [Amended. See Sec. 9 of amendments.]

Sec. 8. Said company may take voluntary relinquishments of the right of way for said road, and the necessary depots and water stations; and if the land through which such road shall pass, shall belong to minors, in whole or in part, the guardian or curator of such minor shall have power to convey to said company so much of the land as may be necessary for the purpose aforesaid, on fair and equitable terms; but every such conveyance by a guardian shall be subject to the approval or rejection of the Probate or County Court in which such guardianship is pending.

Sec. 9. If any owner of any tract of land through which said railroad

shall pass, shall refuse to relinquish the right of way for said road to said company, or if the owners be infants, or persons of unsound mind, or non-residents of the State, the facts of the case shall be specifically stated to the judge of the Circuit Court of the county in which such lands are situated, and said judge shall appoint three disinterested citizens of the county to view said lands, who shall take into consideration the value of the land and the advantages and disadvantages of the road to the same, and shall report under oath what damages will be done to said land, or any improvement thereon, stating the amount of the damages assessed, and shall return a plat of the land thus condemned. Notice of such application to a judge shall be given to the owner of such land five days before the making of the application, if such owner reside in the State, or to his guardian; and if such owner be a non-resident of this State, he may be served with actual notice, or by an advertisement for four weeks in some public newspaper.

Sec. 10. The persons appointed to view and value such lands, shall file their report and plat in the office of the Clerk of the Circuit Court of the county in which the land, or a part thereof, is situated; and if no valid objections be made to said report, the Court shall enter judgment in favor of such owner, against such company, for the amount of damages assessed, and shall make an order vesting in said company the fee simple title of the land in such plat and report described. Objections to such report must be filed within ten days after the same shall be filed—which objections shall be examined by said judge, in term time or vacation; and he may hear testimony, and by judgment confirm said report, or may set the same aside and appoint three other viewers, who shall proceed in the same manner, and make their report, until a report shall be confirmed. In all such cases, the Court shall adjudge the costs of the proceedings according to equity, and the said Court shall have power to make such orders and take such other steps as will promote the ends of justice between the owners of such lands and said company.

Sec. 11. Said company may build said road along or across any State or county road, or the streets or wharves of any town or city, and over any stream or highway; but whenever said railroad shall cross any State or county road, said company shall keep good and sufficient causeways or other adequate facilities for crossing the same; and said railroad shall not be so constructed as to prevent the public from using any road, street or highway along or across which it may pass; and when said railroad shall be built across any navigable stream, said company shall erect a bridge sufficiently high on which to cross, or shall construct a draw-bridge, so that

in no case shall the free navigation of such stream be obstructed. When any persons shall own lands on both sides of said road, said company shall, when required so to do, make and keep in good repair one causeway or other adequate means of crossing the same.

Sec. 12. Said company shall commence the construction of said road within seven years, and shall complete the same within ten years thereafter; and said company shall have general power to use, manage, control, and enjoy said railroad; shall determine what kind of carriage shall be used thereon, and by whom and in what manner, and shall determine the terms, conditions, and manner in which merchandise, property and passengers shall be transported thereon; and shall have power to construct and keep such turn-outs, gates and bridges, culverts, toll-houses, depots, warehouses, causeways and other buildings, machinery and fixtures, as may be necessary; said company may receive such tolls and freights as may be determined on by the Directors, and shall keep posted up statements of the rates of toll and freight to be charged.

Sec. 13. [Amended. See Sec. 10 of amendments.]

Sec. 14. It shall be lawful for the County Court of any county in which any part of the route of said railroad may be, to subscribe to the stock of said company, and it may invest its funds in the stock of said company, and issue the bonds of such county to raise funds to pay the stock thus subscribed, and to take proper steps to protect the interests and credit of the county; such County Court may appoint an agent to represent the county, vote for it and receive its dividends; any incorporated city, town, or incorporated company, may subscribe to the stock of said railroad company, and appoint an agent to represent its interests, give its vote, and receive its dividends, and may take proper steps to guard and protect the interests of such city, town or corporation.

Sec. 15. At every annual meeting of said company, the Directors shall make to the stockholders an exhibit of the affairs and condition of the company. One-seventh part in interest of all the stockholders may call a meeting, by giving four weeks' notice in two public newspapers.—[Amended. See Sec. 2 of amendments.]

Sec. 16. When said road shall be completed, the company shall file a plat thereof in the office of the Secretary of State; and the Legislature may at any time require a statement from the company as to the progress of the work, the amount of business, and the receipts of the company; and the books and accounts of said company may, at any time, be investigated by a committee appointed by the General Assembly.

Sec. 17. Said company shall keep a fair record of the whole expense of constructing said road; and at the end of fifty years the State shall be at

liberty to purchase said road, by paying to said company the amount at which it shall be valued by persons to be mutually chosen by the State and by said company; but two years' notice shall be given to said company of the intention of the State to purchase the railroad.

SEC. 18. When any person shall cease to be a stockholder, he shall cease to be a member of said company.

SEC. 19. [Amended. See Sec. 16 of amendments.]

SEC. 20. The operations of said company shall be confined to the general business of locating, constructing, managing and using said railroad, and the acts necessary or proper to carry the same into complete and successful operation.

This act shall take effect from its passage.

Approved March 12th, 1849.

AMENDMENTS, ETC.

AN ACT

To amend the act entitled "An act to Incorporate the Pacific Railroad."

Be it enacted by the General Assembly of the State of Missouri, as follows:

SEC. 1. Section fourth of the act entitled "an act to incorporate the Pacific Railroad," is hereby amended so as to read as follows: Sec. 4. The stockholders of said company shall meet on the last Monday of March in each year, at such place in this State as may be designated by the by-laws of the company, of which at least twenty days' previous notice shall be given in two or more newspapers published in the city of St. Louis, and elsewhere if the Board of Directors see fit, and choose by ballot, by a majority of votes present, to be given in person or by proxy, thirteen directors, all of whom shall be citizens and residents of this State, and shall be owners respectively of at least ten shares in the stock of said company, and qualified to vote for directors at the election, at which they shall respectively be chosen. The said directors, and those thereafter to be chosen in pursuance of the provisions of this act, at their first meeting, shall choose, by ballot, one of their own number as President of said company; and the said President and Directors shall conduct and manage the affairs and business of said company, until the last Monday of March then next ensuing, and until others are chosen, and may make and establish such by-laws, rules, orders and regulations, not inconsistent with law, as to them may seem needful.

SEC. 2. At every annual meeting the said stockholders shall have power to make, alter or repeal, by a majority of the votes given, any or all such by-laws, rules, orders and regulations as aforesaid, and do and perform every other corporate act authorized by their charter. The stockholders may meet at such other times and places as they may be summoned by the President and Directors, in such manner and form, and giving such notice as may be prescribed by the by-laws, and the Presi-

dent, at the request, in writing, of any number of stockholders, representing not less than one-seventh in number and interest, shall call a special meeting, giving the like notice, and stating specifically the objects of such meeting; and the objects stated in such notice, and no other, shall be acted upon at such meeting; nor shall any business be transacted at any such special meeting, unless a majority of the stock shall be there represented; but the meeting may adjourn from day to day, or until such times as a majority in interest shall be present. So much of section fifteen of the said act as is inconsistent with the provisions of this section is hereby repealed.

Sec. 3. The election for Directors shall be conducted in the following manner; that is to say, the Directors for the time being shall appoint three stockholders, being neither Directors nor candidates, to be judges of the said election; and the persons so appointed shall respectively take and subscribe an oath or affirmation before a Justice of the Peace, well and truly, according to law, to conduct such election to the best of their knowledge and ability; and the judges shall decide upon the qualifications of voters, and when the election is closed, shall count the votes, and declare who have been elected; and if it shall at any time happen that an election of Directors shall not be made at the time specified, the corporation shall not for that reason be dissolved, but it shall be lawful to hold and make such election of Directors on any day thereafter, by giving at least ten days previous notice of the time and place of holding said election, in the newspapers aforesaid; and the Directors of the preceding year shall, in that case, continue in office, and be invested with all the powers belonging to them as such until others are elected in their stead. In case of the death, resignation, or removal from this State of a Director, or a failure to elect in case of a tie vote, or in case any one of them ceases to be qualified to act as a Director, the vacancy may be filled by the Board of Directors. At all general meetings or elections by the stockholders, each share of stock under the number of twenty shall entitle the holder thereof to one vote, and each stockholder holding over twenty shares shall have one vote for every two shares exceeding twenty, and not exceeding two hundred, and one vote for every five shares exceeding two and not exceeding five hundred, and one vote for every ten shares, exceeding five hundred; and each ballot shall have endorsed thereon the number of shares therein represented; but no person or party (females, sick persons and absentees from the county excepted), residing within ten miles of the place appointed for any such election or general meeting, shall be entitled to vote by proxy; nor shall any proxy be received, nor

entitle the holder thereof to vote, unless the same be duly dated and executed within twelve months next preceding such election or general meeting; and every such proxy received and voted upon as aforesaid, shall be retained and filed amongst the papers of the company until after the next annual election or general meeting, subject to the inspection or examination of any stockholder who may desire it.

SEC. 4. None of the provisions of the first article of the act entitled "An act concerning corporations," shall apply to the Pacific Railroad Company, except sections four, five, six, seventeen, and twenty-three of the said act. Each stockholder of the said company shall be individually liable to the creditors of the company to an amount equal to the amount unpaid on the stock held by him, for all the debts and liabilities of the company, until the whole amount of the capital stock so held by him, shall have been paid to the company.

SEC. 5. The said company shall have power by themselves or agents, to enter and take from any land in the neighborhood of the line of their railroad, earth, gravel, stone, wood, water, or other materials necessary for the construction and operation of said road, and, for the purpose of procuring water for their uses, may lay pipes, erect pumps, dams, and reservoirs, and maintain and keep the same in repair, paying, if the owner of said lands and the company can agree, the damages they shall do to said land or appurtenances; or if they cannot agree, the damages shall be ascertained by any three impartial and disinterested freeholders, who, being appointed for that purpose by any Justice of the Peace, thereto required by either of the parties, shall be sworn by him, and shall then ascertain the compensation, upon their own view of the grounds, and of the wood, earth, stone, or gravel, which may have been taken therefrom, and the injury done in taking them: *Provided*, however, that it shall be the duty of the party making the application, to show the Justice of the Peace that ten days' previous notice of the time of making the same has been given to the other party, or to some one of them; and no award which may be given under any appointment without such notice, shall be obligatory or binding on the other party; and either party not satisfied with the award, may appeal to the Court of the county in which such land may lie, which may, at its discretion, confirm the said award and enter it on record; or, as often as they may deem it necessary, may supersede the said viewers, or any of them, appoint others in their stead, and direct another view and award to be made in the manner aforesaid. If any Justice of the Peace, or any freeholder, shall refuse or neglect to perform the duties assigned to them respectively, as prescribed in this section, upon being

thereto required by either party as aforesaid, such Justice or freeholder shall forfeit and pay to the party making the application, a sum not exceeding twenty-five dollars, to be recovered before any Justice of the Peace for the county of which he is an inhabitant; and shall, moreover, be liable to the action of the party aggrieved.

SEC. 6. The capital stock, together with all the machines, wagons, cars, engines or carriages, belonging to the company, together with all their works and other property, and all profits which shall arise from the same, shall be vested in the respective shareholders of the company forever, in proportion to their respective shares; and the same shall be deemed personal estate, and shall be exempt from any public charge or tax whatsoever for the period of five years from the passage of this act.

SEC. 7. The said company shall have power, from time to time, to borrow such sums of money as may be necessary, subject to the prior lien of the State, for completing and finishing or operating their railroad, and to issue and dispose of their bonds for any amount so borrowed, not exceeding their unsubscribed capital, and to mortgage, if necessary, their corporate property and franchises, or any part thereof, to secure the payment of any debt contracted by the company for the purposes aforesaid; and the Directors of the company may confer on any holder of any bonds issued for money borrowed as aforesaid, the right to convert the principal due or owing thereon, into stock of said company, at any time not exceeding ten years from the date of the bond, under such regulations as the Directors may see fit to adopt.

SEC. 8. When payment for the stock of any subscriber or stockholder shall be fully made, the President and Directors shall deliver one or more certificates of such stock, signed by the President and countersigned by the Treasurer, under the seal of the company, to such subscriber or stockholder, for the number of shares belonging to him or her, which certificates shall be transferable in a book to be kept for that purpose by the company; and when transferred, shall be delivered up to the President and Directors and be canceled, and new certificates be issued to the assignee. All assignments of shares partially paid in shall be entered on the books of the company; but such assignment shall in no wise exempt the assignor or his representatives from liability for the payment of all sums due, or to become due, upon the stock assigned by him, if the assignee or his representatives shall fail to pay the same.

SEC. 9. The seventh section of the act of which this is amendatory, is hereby amended so as to read as follows: SEC. 7. Said company shall have full power to survey, mark out, locate and construct a railroad from

the Mississippi river, or any other point in the city of St. Louis, on any route the said company may deem most advantageous, to any point on the western line of the State which the said company may select; and for that purpose may hold a strip of land not exceeding one hundred feet wide, except where it may be necessary for turn-outs, embankments or excavations, in which case they may hold a sufficient width for the preservation of their; road and may also hold sufficient land for the erection and maintenance of depots, landing places or wharves, engine houses, offices, machine shops, warehouses, and wood and water stations; and the said company may construct lateral or branch railroads to any point or points in this State not exceeding fifty miles from their main line.

Sec. 10. Section thirteen of the said act to incorporate the Pacific Railroad, is hereby amended so as to read as follows: Sec. 13. Dividends of so much of the profits of said company as shall appear advisable to the Directors, shall be declared semi-annually, and be paid to the stockholders or their legal representatives, on application at the office of said company, at any time after the expiration of ten days from the time of declaring the same; but the dividends shall in no case exceed the amount of the net profits actually acquired by the company, so that the capital stock shall never be impaired thereby; and if the said Directors shall make any dividend which shall impair the capital stock of the company, the Directors consenting thereto, shall be liable in their individual capacities to the said company for the amount of capital stock so divided, and each Director present when such dividends shall be declared shall be considered as consenting thereto, unless he immediately enter his protest on the minutes of the Board, and give public notice to the stockholders, of the declaring of such dividends.

Sec. 11. The said corporation shall make an annual report to the Secretary of State, of the operations of the year, ending on the first day of December, which report shall be verified by the oaths of the Treasurer and acting superintendent of operations, and filed in his office by the twentieth of December, in each year, and shall state—

1. The capital stock, and the amount actually paid in.
2. The amount expended for the purchase of land, for the construction of the road, for buildings, and for engines and cars respectively.
3. The amount and nature of its indebtedness, and the amount due the corporation.
4. The amount received for the transportation of passengers, of property, of the mails, and from all other sources.

5. The amount of freight, specifying the quantity in tons, of the products of the forests, of animals, of vegetable food, other agricultural products, manufactures, merchandise, and other articles.
6. The amount paid out for repairs, engines, cars, and buildings.
7. The number and amount of dividends, and when made.
8. The number of engine houses and shops; of engines and cars, and their character.
9. The number of miles run by passenger, freight and other trains respectively.
10. The number of men employed, and their occupations.
11. The number of persons injured in life or limb, and the cause of such injuries.
12. Whether any accidents have arisen from carelessness or negligence of any person in the employment of the corporation, and whether such person is retained in the service of the corporation.

SEC. 12. If any passenger shall refuse to pay his fare or toll, it shall be lawful for the conductor of the train, and other servants of the corporation, to put him out of the cars at any usual stopping place the conductor shall select.

SEC. 13. In forming a passenger train, baggage or freight, or merchandise, or lumber cars shall not be placed in the rear of passenger cars; and if they, or any of them shall be so placed, and any accident shall happen to life or limb, the officer or agent who so directed, or knowingly suffered such arrangement, and the conductor and engineer of the train shall each and all be held guilty of intentionally causing the injury, and be punished accordingly.

SEC. 14. A steam whistle shall be placed on each locomotive engine, and be sounded at the distance of at least forty rods from the place where the railroad shall cross any road or street, and be kept sounding until it shall have crossed such road or street; and the said company shall be liable for all damages which shall be sustained by any person by reason of neglect thereof.

SEC. 15. If any person shall, while in charge of a locomotive engine, running upon the railroad of said company, or while acting as the conductor of a car or train on said railroad, be intoxicated, he shall be deemed guilty of a misdemeanor.

SEC. 16. Section nineteenth is hereby amended so as to read as follows: SEC. 19. If any person shall willfully do, or cause to be done, any

act or acts whatever, whereby any building, construction or work of said company, or any engine, machine or structure, or any matter or thing appertaining to the same, shall be stopped, obstructed, impaired, weakened, injured or destroyed, the person or persons so offending shall be guilty of a misdemeanor, and shall forfeit and pay to the said company, treble the amount of damages sustained by means of such offense.

SEC. 17. If any person shall wilfully or maliciously place any obstruction upon the line of said railroad, whereby the lives of passengers thereon shall be endangered, such person or persons so offending shall be guilty of a misdemeanor, and shall be punishable by imprisonment in the county jail not less than three months, or in the penitentiary for a term not more than five years; *Provided*, that nothing herein contained shall prevent the company from pursuing any other proper civil remedy at law in such cases.

SEC. 18. This act shall take effect and be in force from and after it shall be assented to by a majority in number and interest of the stockholders of said company, duly assembled in general meeting for that purpose.

Approved by the Governor, March 1, 1851; and assented to and declared in force by the stockholders, December 2, 1851.

SECTIONS

Four, five, six, seventeen and twenty-three of the first article of the act entitled "An act concerning corporations," approved March 19, 1845, *which are made applicable to the Pacific Railroad Company by the fourth section of the amendments:*

SEC. 4. No corporation created, or to be created, and not expressly incorporated for banking purposes, shall, by any implication or construction, be deemed to possess the power of discounting bills, notes or other evidences of debt, of receiving deposits, of buying gold and silver bullion, or foreign coins, of buying and selling bills of exchange, or of issuing bills, notes, or other evidences of debt upon loan, or for circulation as money.

Sec. 5. When the corporate powers of any corporation are directed by its charter, to be exercised by any particular body, or number of persons, a majority of such body or persons, if it be not otherwise provided in the charter, shall be a sufficient number to form a board for the transaction of business; and every decision of a majority of the persons duly assembled as a board shall be valid as a corporate act.

Sec. 6. If any corporation hereafter created by the Legislature, shall not organize and commence the transaction of its business within one year from the date of its incorporation, its corporate powers shall cease.

Sec. 17. That all bodies corporate, by any suit at law, in any Court in this State, may sue for, recover and receive, from their respective members, all arrears or other debts, dues and other demands, which now are, or hereafter may be owing to them, in the like mode, manner and form, as they might sue for, recover and receive the same from any indifferent person, who might not be one of their body, any law, usage or custom, to the contrary thereof notwithstanding.

Sec. 23. That it shall be lawful for any corporation to convey lands by deeds, sealed with the common seal of said corporation, and signed by the president or presiding member, or trustee of said corporation; and such deed, when acknowledged by such officer to be the act of the corporation, or proved in the usual form prescribed for other conveyances for lands, shall be recorded in the Recorder's office of the county where the land lies, in like manner with other deeds.

AN ACT

Supplementary to the act entitled, an act to amend the act entitled "An act to incorporate the Pacific Railroad," approved March 1, 1851.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Sec. 1. It shall be lawful for the said Pacific Railroad Company to extend, construct, maintain, and operate their railroad to any point or points west of the boundary of this State, and to enter into contracts for that purpose.

Approved February 24, 1853.

Missouri:

Office of Secretary of State.

I, John M. Richardson, Secretary of State, certify the foregoing is a correct copy of the original roll on file in my office of an act passed by the

General Assembly of the State of Missouri, entitled "An act supplemental to the act entitled, an act to amend the act, entitled 'An act to incorporate the Pacific Railroad,'" approved March 1, 1851.

In testimony whereof, I have hereto set my hand and affixed [L. S.] the official seal of said office, this the fifth day of April, 1853.

JOHN M. RICHARDSON,
Secretary of State.

AN ACT

To expedite the construction of the Pacific Railroad, and of the Hannibal and St. Joseph Railroad.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SEC. 1. When the Pacific Railroad company shall produce to the Governor of the State satisfactory evidence, by the affidavit of the treasurer and two of the directors of said company, that the sum of fifty thousand dollars collected on the capital stock of said company, has been expended by them in the survey, location, and construction of their Railroad, he shall cause to be issued and delivered to said company, as a loan of the public credit, special bonds of the State to the amount of fifty thousand dollars, bearing an interest of six per cent. per annum, from the time they are negociated in the hands of the holder, payable semi-annually; and after the expenditure of the whole of said sum of fifty thousand dollars realized from the sales of said bonds, whenever said company shall produce like proof to the governor that they have expended the further sum of fifty thousand dollars of their own moneys, collected on their capital, in the actual construction of said Railroad, the governor shall in like manner cause to be issued and delivered to said company, further like bonds to the amount of fifty thousand dollars; and in like manner as often as said company shall from time to time furnish evidence of having expended from their own moneys, collected on their capital stock, further sums not less than fifty thousand dollars each, in the construction of their road, and that they have also expended the whole proceeds of the sales of the bonds previously issued by the State, in the construction of their said Railroad, the governor shall cause to be issued and delivered to said company, further like bonds to the amount of fifty thousand dollars each time; provided, the total

amount of state bonds to be issued and loaned to said company, shall not exceed two millions of dollars; provided that no part of the said bonds shall be delivered to said company until at least one million and a half of dollars has been subscribed, in good faith, to the capital stock of the said company, and satisfactory proof thereof has been made to the governor.

Sec. 2. When the Hannibal and St. Joseph Railroad Company shall produce to the Governor of the State satisfactory evidence, by the affidavit of the treasurer and two of the directors of said company, that the sum of fifty thousand dollars, collected on the capital stock of said company, has been expended by them, in the survey, location and construction of their railroad, he shall cause to be issued and delivered to the said company, as a loan of the public credit, special bonds of the State to the State to the amount of fifty thousand dollars, bearing an interest of six per cent. per annum, from the time they are negotiated in the hands of the holder, payable semi-annually; and after the expenditure of the whole of said sum of fifty thousand dollars, realized from the sales of said bonds, whenever the said company shall produce like proof to the governor, that they have expended the further sum of fifty thousand dollars of their own moneys, collected on their capital, in the actual construction of said railroad, the governor shall in like manner cause to be issued and delivered to the said company, further like bonds to the amount of fifty thousand dollars; and in like manner, as often as the said company shall from time to time, furnish like evidence of having expended from their own moneys, collected on their capital stock, further sums of not less than fifty thousand dollars each, in the construction of their road, and that they have also expended the whole proceeds of the sales of the bonds previously issued by the State, in the construction of their said railroad, the governor shall cause to be issued and delivered to the said company further like bonds, to the amount of fifty thousand dollars each time; provided, the total amount of State bonds so to be issued and loaned to the said company, shall not exceed one and a half millions of dollars; provided, that no part of said bonds shall be delivered to said company until at least five hundred thousand dollars in money, or its equivalent, has been subscribed in good faith, to the capital stock of said company, and satisfactory proof thereof made to the governor.

Sec. 3. No part of the said bonds shall be delivered to the said companies, or either of them, until the acceptance thereof shall be signified to the Secretary of State, by the filing in his office of a certificate of such acceptance under the corporate seal of the company thus accepting, and the signature of their president.

SEC. 4. Each certificate of acceptance so executed and filed as aforesaid, shall be recorded in the said office of the Secretary of State, and shall thereupon become, and be, according to all intents and purposes, a mortgage of the road of the company executing and filing their acceptance, as aforesaid, and every part and section thereof, and its appurtenances, to the people of this State for securing the payment of the principal and interest of the sums of money for which such bonds shall, from time to time, be issued and accepted as aforesaid.

SEC. 5. The said bonds, thus issued to the Pacific Railroad Company, shall be denominated "the Pacific Railroad State Bonds," and the said bonds thus issued to the Hannibal and St. Joseph Railroad Company shall be denominated "the Hannibal and St. Joseph Railroad State Bonds;" and the faith and credit of this State are hereby pledged for the payment of the interest and the redemption of the principal thereof.

SEC. 6. The said bonds shall be signed by the Governor, and countersigned by the Secretary of State, and sealed with the seal of the State, and shall be registered in the office of the auditor of public accounts, and shall be of denominations not exceeding one thousand dollars each in amount, with coupons attached, and shall be payable to the order of said companies respectively, and may be transferred by the endorsement of the respective presidents of the said companies for the time being; and such endorsement shall be considered the act of the company, and a copy of this act shall be attached to each of said bonds.

SEC. 7. The said bonds shall be redeemable at the pleasure of the Legislature, at any time after the expiration of twenty years, from the date of the respective issues thereof; and the interest thereon shall be payable semi-annually, in the city of New York, on the first days of January and July in each and every year.

SEC. 8. The said companies may sell or dispose of the said bonds issued to them respectively, at not less than par, and in such manner, time and place as to them, or either of them, may seem most expedient, and the said companies, or either of them, may confer on any holder of any bond or bonds transferred by them, the right to convert the same into stock of the company, at any time, not exceeding ten years from the date of such bond or bonds, and upon such terms and conditions as the said company may deem advisable; and, upon such conversion, the said company shall deliver up the said bond or bonds, so converted into stock, to the governor, to be canceled, who shall thereupon cause satisfaction thereof to be entered of record in the office of the auditor of public accounts.

SEC. 9. Each of said companies shall make provision for punctual re-

demption of the said bonds, so issued, as aforesaid, to them respectively, and for the punctual payment of the interest which shall accrue thereon, in such manner as to exonerate the treasury of this State from any advances of money for that purpose; and the tolls and income which shall accrue from the use of their said roads respectively, when the same, or any part thereof, shall be constructed, after paying the repairs and necessary expense of operating the same, and conducting the business thereof, shall be, and are hereby pledged for the payment of said interest.

SEC. 10. No part of the bonds so authorized, as aforesaid, shall be issued to the said companies, or either of them, until full and satisfactory evidence shall be given to the Governor, and approved by the attorney general, that no prior lien or incumbrance has been created or exists on the road of the company applying for said bonds, or its appurtenances, except such lien as may have been created under this act.

SEC. 11. In case the said companies or either of them, to which bonds shall, as aforesaid, be issued, shall make default in the payment of either interest or principal of the said bonds, or any part thereof, no more bonds shall thereafter be issued to such delinquent company, and it shall be lawful for the Governor to sell their road and its appurtenances, by auction, to the highest bidder, first giving, at least, six months' notice of the time and place of such sale, by advertisement, to be published once in each week in the paper which shall publish the laws at Jefferson city, and in two public newspapers printed in the city of St. Louis; or to buy in the same at such sale, for the use and benefit of the State; subject to such disposition in respect to such road, or its proceeds, as the Legislature may thereafter direct

This act to take effect and be in force from and after its passage.

Approved February 22, 1851.

LAWS OF THE UNITED STATES,

Passed at the First Session of the Thirty-second Congress of the United States of America.

(Public Act, No. 20.)

An Act granting the right of way to the State of Missouri, and a portion of the public lands to aid in the construction of certain Railroads in said State.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:

That the right of way through the public lands be, and the same is hereby, granted to the State of Missouri for the construction of railroads from the town of Hannibal to the town of St. Joseph, in said State, and from the city of Saint Louis to such a point on the western boundary of said State as may be designated by the authority of said State, with the right also to take necessary materials of earth, stone and timber, for the construction thereof, from the public lands of the United States adjacent to said railroads; provided, that in locating the railroads aforesaid, and assigning the limits to the easement, no more land shall be taken from the United States than is necessary for a convenient construction and use of said roads as public ways for transportation, including stations, with the usual buildings of all kinds, turn-outs, and such other appurtenances as are usually enjoyed by railroad companies; and a copy of the location of said roads, made under the direction of the Legislature, shall be forwarded to the proper local land offices respectively, and to the General Land Office, at Washington City, within ninety days after the completion of the same, to be recorded.

Sec. 2. *And be it further enacted*, That there be, and is hereby, granted to the State of Missouri, for the purpose of aiding in making the railroads aforesaid, every alternate section of land, designated by even numbers, for six sections in width on each side of said road; but in case it shall appear that the United States have, when the line of route of said roads, or either of them, shall be definitely fixed by the authority afore-

said, sold any section, or any part thereof, granted as aforesaid, or that the right of pre-emption has attached to the same, then it shall be lawful for any agent or agents, to be appointed by the Governor of said State, to select, subject to the approval of the Secretary of the Interior, from the lands of the United States most contiguous to the tier of sections above specified, so much land in alternate sections, or parts of sections, as shall be equal to such lands as the United States have sold, or to which the right of pre-emption has attached as aforesaid; which lands, thus selected in lieu of those sold, and to which pre-emption rights have attached as aforesaid, together with the sections and parts of sections designated by even numbers as aforesaid, and appropriated as aforesaid, shall be held by the State of Missouri for the use and purpose aforesaid; provided, that the lands to be so located shall in no case be further than fifteen miles from the line of the road in each case: provided further, that the lands hereby granted shall be exclusively applied in the construction of that road for which it was granted and selected, and shall be disposed of only as the work progresses, and the same shall be applied to no other purpose whatever; and provided further, that any and all lands heretofore reserved to the United States, by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatsoever, be, and the same are hereby reserved to the United States, from the operation of this act, except so far as it may be found necessary to locate the route of the said railroads through such reserved lands; in which case the right of way only shall be granted.

Sec. 3. *And be it further enacted*, That the sections and parts of sections of land which, by such grant, shall remain to the United States, within six miles on each side of said roads, shall not be sold for less than double the minimum price of the public lands when sold; which lands shall, from time to time, be offered at public sale to the highest bidder, under the direction of the Secretary of the Interior, and shall not be subject to entry until they shall have been so offered at public sale.

Sec. 4. *And be it further enacted*, That the said lands hereby granted to the said State shall be subject to the disposal of the Legislature thereof for the purposes aforesaid, and no other; and the said railroads shall be and remain public highways for the use of the Government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States.

Sec. 5. *And be it further enacted*, That the lands hereby granted to said State shall be disposed of by said State only in manner following,

that is to say: that a quantity of land, not exceeding one hundred and twenty sections on each road, and included within a continuous length of twenty miles of said road, may be sold; and when the Governor of said State shall certify to the Secretary of the Interior that said twenty miles of said road is completed, then another like quantity of land hereby granted may be sold; and so from time to time, until said road is completed; and if said road be not completed within ten years, no further sales shall be made, and the land unsold shall revert to the United States.

SEC. 6. *And be it further enacted*, That the United States mail shall at all times be transported on said railroads, under the direction of the Post Office Department, at such price as Congress may by law direct.

Approved June 10, 1852.

AN ACT,

To accept a grant of land made to the State of Missouri by the Congress of the United States, to aid in the construction of certain Railroads in this State, and to apply a portion thereof to the Pacific Railroad.

Be it enacted by the General Assembly of the State of Missouri as follows:

SEC. 1. That all that portion of the lands granted to this State by the act of Congress, entitled "An act granting the right of way to the State of Missouri, and a portion of the public lands to aid in the construction of certain Railroads in said State," approved June 10th, 1852, so far as the same are applicable to the construction of a Railroad from the city of St. Louis to such point on the western boundary of this State, as may be designated by the Pacific Railroad; and which may be selected or located in conformity with the provisions of said act, together with all the rights and privileges thereto belonging, or in said act granted, shall vest in full and complete title in the Pacific Railroad for the uses and purposes, and subject to the conditions, reversion and provisions set forth and contained in said act of Congress and this act.

SEC. 2. The Pacific Railroad may lay out, construct and maintain a line of railway, or branch Railroad, with a single or a double track, from any point of the main line of the Pacific Railroad east of the Osage river, to any point on the western boundary of this State, south of the Osage river, which the said corporation may select, and for that purpose shall

have the same rights, powers, and privileges, and be subject to the same provisions and conditions in respect to the right of way, depot grounds, water stations, engine houses, machine shops, stopping stages and other buildings, and the use of materials, and the location, construction, maintaining and operation of the said branch Railroad, as are made applicable to the Pacific Railroad, by the act entitled "An act to incorporate the Pacific Railroad," approved March 12th, 1849, and the act amendatory thereof, approved March 1st, 1851.

Sec. 3. As soon as practicable after the passage of this act, the Pacific Railroad shall, at their own expense, proceed to locate said southwestern line of branch Railroad, and to locate and select the lands granted by the said act of Congress, by any agent or agents they may designate, under the appointment of the Governor, subject to the approval in said act specified, along the main line of said Pacific Railroad from its commencement in the city of St. Louis, to the point on said main line, where the said southwestern branch shall diverge, and thence along said southwestern line or branch Railroad to the western boundary, south of the Osage river. And a copy of the location of the aforesaid part of the main line, and of the whole of said southwestern branch of the Pacific Railroad, shall be made and certified by the President and Chief Engineer of said railroad, and under the corporate seal of said company, and forwarded to the local land offices, and to the General Land Office, as in said act of Congress specified.

Sec. 4. And the said Pacific Railroad shall apply the lands granted as aforesaid, or the proceeds thereof, to the construction of the said main line, from its commencement in the city of St. Louis to the point of divergence therefrom of the southwestern branch, and to the said southwestern branch, so that said lands shall be applied to the construction of a railroad from St. Louis to the western boundary of the State, south of the Osage river, in conformity with said act of Congress.

Sec. 5. For the purpose of raising funds from to time, for the construction and completion of the said branch railroad, the said company may sell the said lands in the manner provided for by the said act of Congress, and may issue their bonds in such sums as they may deem proper, at rates of interest not exceeding seven per cent. per annum, payable semi-annually, and the principal of said bonds payable at such time and place as they may designate; and may secure the payment of said bonds, by mortgage of said lands or any part thereof, to be executed by said company, and may make the said bonds convertible into land or stock of the company within such periods as they may prescribe; provided, that the faith of the

State is in no manner pledged for the redemption of said bonds or any part thereof; and provided further, that nothing in this act contained shall be construed to authorize said company to sell, dispose of, or apply the said lands or the proceeds thereof, in any other manner, or to any other purpose than as required and limited by the said act of Congress.

SEC. 6. The said company shall, within one year after the said Southwestern Branch Railroad shall have been located, cause to be made a map and profile thereof, and a map of the land located, for the use of such branch road, embracing also the main line of the Pacific Railroad, from its connection with said southwestern branch to the eastern terminus thereof, and file the same in the office of the Secretary of State, and also maps of the parts thereof located in the different counties, and cause the same to be recorded in the office for recording deeds in the counties respectively in which said parts of said road may be located.

SEC. 7. Each and every person who, on the tenth day of June, one thousand eight hundred and fifty-two, was the owner of any improvement made previous to that date on any land embraced in the grant aforesaid, and who became such owner with a view to a residence on or occupation of such land for agricultural purposes, shall have the right to purchase at not exceeding two dollars and fifty cents per acre, subject to the reversion in said act provided for, a quantity of the land so occupied to be bounded by the legal sub-divisions, not exceeding one quarter section, to consist of quarter-quarter, half-quarter or quarter section, which will include the improvement aforesaid. Provided, that any person claiming the right to purchase under the provisions of this act shall, within four months from the date of the location of the land, file in the clerk's office of the circuit court of the county in which the land claimed is situated, a notice to the corporation of his, her or their claims, describing the land by its numbers, accompanied with an affidavit stating the date and object of the improvement, the time and manner when and how he, she or they became owner thereof, and also the affidavits of at least two residents of the county proving the facts in relation to such claim; and provided further, that the right of way upon and across any lot of land sold under the provisions of this section not exceeding two hundred feet in width, shall be reserved and retained for the passage of the road, as the same may be located and constructed; but no sale or conveyance of any lot of land under the provisions of this section shall affect the rights or equities of two or more parties claiming the same as between each other.

SEC. 8. In case any of the lands located or selected under the act of Congress aforesaid shall remain unsold at the expiration of ten years after

the completion of the said road, the same shall be offered at public sale annually until the whole is disposed of, except such lots as may be deemed necessary by said company for practical purposes in sustaining and operating their said railroad.

SEC. 9. For every fifty thousand dollars expended by said company in the actual construction of said Southwestern Branch Railroad, whether collected from capital stock or derived from mortgage or sale of lands, the Governor of the State shall cause to be issued and delivered to said company, upon their application and acceptance, fifty special bonds of the State of the like character and denomination, and upon the like proof, terms, conditions and liabilities (except as herein stated) as prescribed by the act entitled "An act to expedite the construction of the Pacific Railroad and of the Hannibal and St. Joseph Railroad," approved February 22d, 1851, the proceeds of which said bonds shall be exclusively applied to the construction of the said Southwestern Branch Railroad: Provided, the total amount of the State bonds so to be issued to said company for the purpose in this section contained, shall not exceed one million of dollars; and provided further, that no part of the said bonds shall be issued until at least five hundred thousand dollars applicable to the construction of the said Southwestern Branch shall be first subscribed in good faith as an addition to the capital stock of said company: Provided further, that none of said bonds shall disposed of by said company at less than par value.

SEC. 10. The said company shall keep separate accounts of the cost of surveying, locating, constructing, maintaining, altering and operating said Southwestern Branch Railroad, and also of the earnings thereof; and may, if the board of directors shall deem it advisable, create a new stock for said branch, and shall apply the same, as well as the proceeds of the lands due to said Southwestern Branch, and the proceeds of the bonds authorized by the ninth section of this act, exclusively to the construction of said Southwestern Branch, and pay the dividends declared from the net profits of said branch to those who shall become stockholders therein, or their legal representatives, according to their respective shares.

SEC. 11. The Pacific Railroad shall be deemed a railroad beginning in the city of St. Louis, and running westwardly by the way of Jefferson City; and thence along the best and most practicable inland route through the county of Johnson, and terminating at any point in Jackson county, which may be designated by the said company, anything contained in the charter thereof to the contrary notwithstanding; provided, the counties west of Jefferson City through which said road shall run, and those contiguous thereto, and individuals in the same, shall subscribe, in

good faith, four hundred thousand dollars to the capital stock of said company, in addition to the amount already subscribed; and if said four hundred thousand dollars additional stock should not be subscribed in good faith to said company within twelve months from and after the passage of this act, the said Pacific Railroad Company shall be free to select any location they may deem expedient; and provided further, that the right of way can be obtained upon said route upon as good terms as any other. And the proceeds of the loan of State credit authorized by the act entitled, "An act to expedite the construction of the Pacific Railroad, and of the Hannibal and St. Joseph Railroad," approved February 22d, 1851, and all the stock now subscribed to said Pacific Railroad, (excepting all the subscriptions for either of its branches,) and the proceeds of the lands due to that portion of the Pacific Railroad lying between its commencement in St. Louis and the point at which the said southwestern branch shall diverge from the same, shall be exclusively appropriated to the construction and completion of the said Pacific Railroad, terminating as aforesaid, in Jackson county; and the dividends which may be declared from the profits of the said Pacific Railroad shall be paid to the stockholders thereof exclusively, or their legal representatives; and for the purpose more effectually of securing the completion of the said Pacific Railroad, the Governor of the State shall cause to be issued and delivered to said company, upon their application and acceptance, in addition to the amount authorized to be loaned to said company by the first section of the act above recited, approved February 22d, 1851, fifty thousand dollars of the State bonds, for every fifty thousand dollars of the money of said company actually expended in the construction of said Pacific Railroad, whether the said money be collected from the capital stock, or derived from any other source other than the proceeds of sales of State bonds, upon the like proof, terms, conditions and liabilities, and of the like character and denominations as prescribed in the act aforesaid; provided, that the total amount of State bonds, to be issued to said company under this section, shall not exceed one million of dollars, and the said company shall complete the said line to its terminus in Jackson county, and put the same in operation within five years after the passage of this act.

Sec. 12. The said Pacific Railroad and the said Southwestern Branch Railroad shall be exempt from taxation respectively, until the same shall be completed, opened and in operation; and shall declare a dividend, when the road-bed, buildings, machinery, engines, cars and other property of such completed road, at the actual cash value thereof, shall be subject to taxation at the rate assessed by the State on other real and personal

property of like value; and for the purpose of ascertaining the value of the same, it shall be the duty of the President of said company, on the first day of February in each year, after such road is completed, opened and put in operation and declares a dividend, to furnish to the Auditor of the State a statement under his oath, made before and certified by some officer authorized to administer oaths, of the actual value of the road-bed, buildings, machinery, engines, cars and other property appertaining to such completed road, and, from said statement so furnished, the Auditor shall charge said company with the amount appearing to be due to the State according to the statement furnished as herein required by the President of the company. And in case said company shall fail to pay into the State treasury, within thirty days after the first day of December in each year, the amount charged against said company as aforesaid, said company shall forfeit and pay to the State of Missouri, in addition to the sum with which said company may stand charged by the Auditor, ten per cent. per month after the expiration of said thirty days, on the amount charged to said company; which sum charged against said company, together with the ten per cent. per month hereinbefore specified, may be recovered in the name of the State of Missouri, by civil action, in any court of competent jurisdiction; and should the President of said company fail to make out and furnish to the Auditor of the State a statement, as herein required, said company shall forfeit and pay to the State ten thousand dollars for such failure, which may be recovered in the name of the State of Missouri in any court of competent jurisdiction; provided, that if said company shall fail, for the period of two years after said roads respectively shall be completed and put in operation, to declare a dividend, that then said company shall no longer be exempt from the payment of said tax, nor from the forfeitures and penalties in this section imposed.

Sec. 13. It shall be lawful for any city, county or incorporated company to subscribe to the capital stock of the said Pacific Railroad, for the purpose of aiding the construction of said railroad, or either of its branches, and may issue the bonds of such city, county or company, to raise funds to pay the stock thus subscribed, and appoint an agent to represent its interest, give its vote, and receive its dividends, and may take proper steps to guard and protect the interests of such city, county or corporation, in relation thereto.

Sec. 14. Whenever any of the bonds authorized by this act, or any former law, to be loaned to the Pacific Railroad, shall come to maturity, between the first days of January and July, or of July and January, the interest thereon accruing, between the date when the last coupon falls

due and the maturity of the bonds, shall be paid at the maturity of such bond.

SEC. 15. That this act and all grants herein contained, shall cease and be void unless accepted by said company, within six months after the passage of this act, said acceptance to be executed by the said company under their corporate seal, and filed in the office of Secretary of State.

SEC. 16. This act shall take effect and be in force from and after its passage.

Approved December 25, 1852.

OFFICE OF SECRETARY OF STATE,
City of Jefferson, January 1, 1853.

The foregoing act is a true copy of the original roll on file in my office.

EPHRAIM B. EWING,
Secretary of State.

"COPY."

To His Excellency, STERLING PRICE,
Governor of the State of Missouri:

The Pacific Railroad Company hereby certify and declare, that they have accepted, and do hereby accept, the act entitled "An act to accept a grant of land made to the State of Missouri by the Congress of the United States, to aid in the construction of certain railroads in this State, and to apply a portion thereof to the Pacific Railroad,"—approved December 25th, 1852—and this certificate is presented for filing in the office of the Secretary of State in compliance with the requirements of said act, and particularly of the fifteenth section thereof.

In witness whereof, and in pursuance of a resolution of the Board of Directors, adopted on the twelfth day of January, eighteen hundred and fifty-three (a copy whereof is hereto annexed), the said Pacific Railroad Company [L. S.] have caused their corporate seal to be hereto affixed, and the names of their President and Secretary to be signed to this certificate, at St. Louis, Mo., this twenty-first day of January, one thousand eight hundred and fifty-three.

THO. ALLEN,
President Pacific Railroad.

Attest.—SAM'L COPP, JR.,
Sec'y P. R. R. Co.

"COPY."

OFFICE PACIFIC RAILROAD CO.,
St. Louis, 12th January, 1853.

At a meeting of the Board of Directors of the Pacific Railroad Company held this day, the following resolution was unanimously adopted:

Resolved, By the Board of Directors of the Pacific Railroad Company, that said company hereby approve and formally accept the Act of the Legislature of the State of Missouri, passed at the adjourned called session of the year eighteen hundred and fifty-two, and the grants of lands, State credit, and all other grants and privileges therein contained, according to the spirit, meaning, and intent of said act, entitled, "An Act to accept a grant of land made to the State of Missouri by the Congress of the United States, to aid in the construction of certain railroads in this State, and to apply a portion thereof to the Pacific Railroad,"—approved December 25th, 1852. And that the President of said company cause a copy of this resolution, authenticated as required in said act, to be filed in the office of the Secretary of State of the State of Missouri.

A true copy from the minutes of the Board.

ATTEST.—SAM'L COPP, JR.,
Sec'y P. R. R. Co.

JEFFERSON CITY, Missouri,
January 24, 1853.

SIR:—Your letter under date January 21, containing the "formal acceptance," by the Pacific Railroad Company, of the act entitled "An Act to accept a grant of land made to the State of Missouri by the Congress of the United States, to aid in the construction of certain railroads in this State, and to apply a portion thereof to the Pacific Railroad," has been received. In reply, I have the honor to inform you, the acceptance has been filed in this office in accordance with your request.

I am, sir, very respectfully,
Your obedient servant,
JOHN M. RICHARDSON,
Secretary of State.

Hon. THOS. ALLEN, Pres. P. R. R. Co.

THE PLAN OF THE PRESIDENT.

TO THE BOARD OF DIRECTORS OF THE PACIFIC RAILROAD.

The charter of the Pacific Railroad Company now contains all the powers and privileges that have been asked for. The company have a right to construct a line of railroad called in the charter "the Pacific Railroad" from the City of St. Louis *via* Jefferson City to any point in Jackson County. This line will be from 260 to 290 miles long. They have also right to build a branch railroad called the "Southwestern Branch" from any point on the line of the said Pacific Railroad east of the Osage river, to any point on the western boundary of this State south of the Osage river. This branch will be about 300 miles long.

The company have also the right to extend their road to any point west of the State of Missouri. This looks ultimately to the Pacific Ocean.

By the act of the Legislature approved February 22d, 1851, a loan of State credit was made to the company not to exceed $2,000,000.

By the act of December 25th, 1852, an additional loan was granted to the company of $2,000,000, and the grant of lands made to the State by act of Congress of June 10th, 1852, was transferred to the company by the same act. This grant of lands was made by Congress to aid in the construction of a railroad from St. Louis to the western boundary of the State of Missouri, and the act of the State Legislature requires the lands to be located and applied so that this company shall construct a railroad from St. Louis to the western boundary of the State south of the Osage river. This was to cover the construction of the southwestern branch railroad and that portion of the Pacific Railroad laying between St. Louis and the point of divergence of the southwestern branch. By the same act, all the capital then subscribed—the loan first authorized and $1,000,000 of the new loan, together with such portion of the land grant as should be due to that portion of road lying between St. Louis and the point of branching—should be appropriated to the Pacific Railroad terminating in Jackson County, and the road to be finished in five years. The remainder of the lands and one million of State credit, to be applied to the southwestern branch. No time is fixed for completing that branch, but the act of Congress requires that the road to which the lands are applied shall be finished in ten years, or the lands unsold on the unfinished part of the road after that time shall revert to the United States.

The company is exempt from taxation until their road is completed, opened and in operation, and pays a dividend, or until two years after its completion if it pays no dividend. The State has asked no consideration for the grant of lands but the construction of the road.

The condition precedent she affixed to the issue of her bonds to the Pacific railroad in the first instance, was a *bona fide* subscription to the capital stock of $1,500,000. This was made and the condition complied with. A similar condition applicable to the one-million loan for the southwestern branch requires an additional subscription to capital stock of $500,000. This can be complied with if it should be deemed important to use that loan. The total amount of capital stock subscribed at the date of your last annual report, March 28th, 1853, was $2,800,000, (partly conditional).

Of the subscribed capital only $1,200,000 had been subjected to assessment. On this, 50 per cent. had been called, and $609,965 paid up. The amount of state bonds issued to the company as a loan, and for the payment of which the State by law takes a lien on your main road, was $650,000.

The total amount expended by the company for all purposes, to date of last annual report, is $1,378,487 85, the particulars of which are set forth in the accompanying balance sheet of the Treasurer marked A. The first division, whose length is about forty miles, will be opened for business on the 1st of July. Contracts are awarded for about twenty-four miles of the second division; and the remainder of that division, extending as far as Jefferson City, 125 miles from the point of beginning, will be under contract in May.

All the preliminary surveys are completed, and about one half of the Pacific railroad and the greater part of the southwestern branch definitely located.

The grant of lands to this company extends to the alternate sections on each side of the road for six sections in width for the entire length of the road from St. Louis, *via* the southwestern branch to the western boundary of the State. This is 3,840 acres for every mile of road. The length of road to which the lands are applicable will be about 340 miles.

This gives the company 1,305,600 acres of land.

Thomas S. O'Sullivan, Esq., the Engineer in Chief, estimates the total cost of the two roads at present rates as follows:

Pacific Railroad, 290 miles, - - - - -	$7,220,000
Southwestern Branch, say 300 miles, - - - -	7,750,000
Total, - -	$14,970,000

This estimate is exclusive of the rolling stock.

The means of construction consist of subscribed capital of	$2,000,000
Proposed additional subscription, - - - -	1,000,000
Capital, - -	$3,000,000
Public loan, - - - - - - - - -	4,000,000
1,305,600 acres of land estimated at - - - -	9,500,000
	$16,500,000

In order to make the lands most available for the purposes of the grant, it is not proposed to sell them immediately as the work progresses, as authorized by the act of Congress, but that they should be retained in the actual possession of the company until the construction of the railroad shall have caused such an increase of population and business as to give them a high market value. The act of the General Assembly, granting the lands, expressly confers the power to mortgage them. The course successfully pursued in a similar case in another State suggests, as the most judicious plan, the issue of bonds of the company to pay the cost of constructing the road, secured in the most perfect manner in your power.

By act of Congress the donated lands shall be sold only as the work progresses. The work might progress simultaneously throughout its entire length. But the lands may be sold under the act, in manner following: Whenever twenty miles of the road are completed the lands may be sold on that twenty miles, and also the lands on the next twenty miles in advance, and so on. This provision of law was doubtless intended to secure the faithful application of the lands to the construction of the road, and it is not imperative that they shall be sold absolutely as fast as each twenty miles of road are completed, but they shall only be sold as the work progresses, and not sold and the proceeds appropriated to private uses and the work left undone. And for greater security the act of Congress prescribes that if the road is not finished in ten years, the lands unsold lying on that part of the road which shall be unfinished at the end of that time shall revert to the United States. The absolute fee simple title is by the act of Congress and of the Legislature of Missouri already vested in the company, and no part of the lands can revert except those lying upon that part of the line which shall be unfinished after the lapse of ten years.

We propose to raise funds sufficient to place the whole road under contract, and to mortgage the lands and the road subject to the reversionary interest of the government in the lands only. We issue bonds, the pay-

ment of which is to be secured by the mortgage, and the proceeds of which are to be applied to the construction of the road :—the bonds to bear seven per cent. interest, payable semi-annually in the city of New York, and the principal payable in twenty years after date, and a portion of them convertible into stock, but all the bonds convertible into land :—such only of the lands to be taken as may be open for sale at the time and at prices to be fixed by the company, and the lands thus purchased must also lie upon the finished part of the road or within twenty miles in advance of such finished part, until the whole road is completed. None of the mortgaged lands to be sold except in exchange for bonds or for cash to be applied to the payment of bonds. The bonds are supposed to furnish ample means to secure the completion of the road and the aggregate sales of the lands to cancel all the bonds. In the purchase of land by any bond-holder, the relative security of the rest is not injured, inasmuch as the proportion of land-security due to each bond will remain the same until the whole are canceled.

In furtherance of this purpose we propose to classify the lands, and to fix a minimum value below which none of them can be sold as long as there is a construction-bond outstanding and unpaid. Each piece or parcel of land to be appraised by our agents and allotted to some one of the five following classes, viz. :—

1. First class, consisting of lands specially valuable as coal fields, quarries, minerals, water power, or vicinity of towns, or as eligible town sites, 50,000 acres, minimum value $20 per acre, - - - - - - - -	$1,000,000
2. Second class of lands, of superior agricultural advantages, 150,000 acres, at minimum value $15 per acre, - -	2,250,000
3. Third class of lands of good agricultural qualities, 500,000 acres, minimum value $10 per acre, - - -	5,000,000
4. Fourth class of lands, of low agricultural qualities, within fifteen miles of the road but capable of cultivation, 200,000 acres, minimum value $5 per acre, - - -	1,000,000
5. Fifth class of inferior lands, 100,000 acres, minimum value $2 50 per acre, - - - - - - -	250,000

Making an aggregate valuation for 1,000,000 acres at $9,500,000 nine millions five hundred thousand dollars.

The accounts to which the proceeds of the construction-bonds are to be applied are the general expenses of the company, including pay of officers and agents, graduation, masonry, superstructure, land and damages,

fencing, buildings, equipment, and all the appurtenances of the road, and also part of the interes-twarrants up to the time of the completion of the road.

We propose also, for greater security of the interest, to set apart an interest-fund, to which shall be appropriated the profits of the partial operation on the Southwestern Branch and the remainder of the lands, over 1,000,000 obtained under the grant amounting to 200,000 or 250,000 acres. The receipts from transportation on the Southwestern Branch would be appropriated firstly to the payment of all current charges, such as wages, repairs, rolling stock, &c.; and then the interest until the State tax becomes payable, when that should be first paid; and, after the payment of interest, to the payment of such dividends as the Board of Directors may order or to such other purposes as they may prescribe.

THOMAS ALLEN,
President.

St. Louis, April 13, 1853.

MORTGAGE.

THE PACIFIC RAILROAD to HENRY D. BACON, GEORGE W. RIGGS, JR., and LUTHER C. CLARK.

This Indenture of Mortgage, made the first day of June, in the year of our Lord one thousand eight hundred and fifty-three, between the Pacific Railroad, a Corporation created by an Act of the Legislature of the State of Missouri, approved on the twelfth day of March, in the year of our Lord one thousand eight hundred and forty-nine, of the first part, and Henry D. Bacon, of the City of St. Louis and State of Missouri, and George W. Riggs, Jr., and Luther C. Clark, of the city of New York, of the second part, witnesseth: Whereas, the parties of the first part, for the purpose of raising funds from time to time, for the construction and completion of their Southwestern Branch Railroad, authorized by the provisions of the Act of the Legislature of Missouri, approved December twenty-fifth, one thousand eight hundred and fifty-two, and for the purchase of iron and other materials to be used thereon, and in part also to aid in the completion of the Pacific Railroad, and for the expenses of the organization and maintenance of the said corporation and compensation of the officers, agents, engineers and other necessary assistants, propose to execute and deliver their construction-bonds or obligations in pursuance of the provisions of the Act aforesaid, and thereby to become indebted to divers persons, bodies politic or corporate, who shall become holders of the said construction-bonds or obligations, in a sum not exceeding, in the aggregate, ten millions of dollars, lawful money of the United States of America, secured to be paid by their ten thousand construction-bonds or obligations of and for one thousand dollars each (numbered from one to ten thousand), or bonds which may be issued in renewal of the same or any part thereof, providing for the payment unto the said persons, associations, bodies politic or corporate, and their executors, administrators, successors, survivors and assigns respectively, of the said sums of one thousand dollars, named in the said construction-bonds or obligations respectively, on the first day of July, which will be in the year one thousand eight hundred and seventy-three, and also interest for the same, at and after the rate of seven per centum per annum, payable

on the first day of every January and July, ensuing the date of the said construction-bonds or obligations, until the principal sums named in said construction-bonds or obligations respectively, shall be severally paid and satisfied, in the manner and form in the said construction-bonds or obligations set forth and declared, as by reference thereto will more fully appear.

Now, therefore, this Indenture witnesseth: That the said parties of the first part, for the better securing and more sure payments of the said sums of money mentioned in the said construction-bonds or obligations, and each and every of them, with interest thereon, according to the true intent and meaning thereof, and also, for and in consideration of the sum of one dollar, in hand paid by the said parties of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged: Have granted, bargained and sold, remised, released, conveyed and confirmed, and by these presents, do grant, bargain and sell, remise, release, convey and confirm unto the said parties hereto of the second part, and the survivors and survivor of them, and the heirs and assigns of such survivor forever, all and singular the several pieces or parcels of land, being the roadway, stations and depots of the railroad of the said parties of the first part, from the point where the said Southwestern Branch Railroad diverges from the line running from St. Louis to Jackson County, to the western boundary of the State south of the Osage River, and all and singular the station and depot buildings, engine houses, and other improvements and constructions thereon now made, or hereafter to be made.

And also, all and singular the several pieces or parcels of land, being the road-way, stations and depots of the line of railroad, called the Pacific railroad, authorized by said Act of Incorporation, commencing at the City of St. Louis and running by way of Jefferson City to a point within Jackson County in said State of Missouri, and all and singular the station and depot buildings, engine houses and other improvements and constructions thereon, now made or hereafter to be made: together with all and singular the emoluments, income and advantages, rights, franchises, tenements, hereditaments and appurtenances to the above described premises, and each and every of them belonging, or in any wise appertaining, subject, however, to the prior lien of the said State of Missouri upon said last-mentioned line of road, for such amount of loan as may be made to the said railroad, by the said State, not exceeding in the whole four millions of dollars.

And also one million acres of land and premises situated, lying and being in the State of Missouri, adjoining and adjacent to the above described

Southwestern Railroad, parts and parcels of the lands which were granted to the State of Missouri, by the act of Congress of the United States, approved the tenth day of June, one thousand eight hundred and fifty-two, entitled "An Act granting the right of way to the State of Missouri, and a portion of the public lands to aid in the construction of certain railroads in said State," and by the State of Missouri granted and conveyed in fee simple to the parties hereto of the first part, by act entitled "An Act to accept a grant of land made to the State of Missouri by the Congress of the United States, to aid in the construction of certain railroads in this State, and to apply a portion thereof to the Pacific Railroad" as by reference thereto will more fully appear, subject to the conditions, reservations and limitations contained in the aforesaid acts of Congress and of the Legislature of Missouri; which one million acres of land hereby intended to be conveyed, are to be selected by the parties to this indenture of the first part, and specially set aside and appropriated to the purposes of this mortgage, and proper schedules and lists thereof prepared, approved and confirmed, under the corporate seal of the parties of the first part in duplicate, and properly annexed to this indenture so as to give to the same the effect of a particular and detailed description of each separate piece or parcel of land set forth in this indenture; together with all and singular the emoluments, income and advantages, tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also, all the estate, right, title and interest, property, possession, claim and demand whatever at law or in equity, of the said parties of the first part, of, in, and to the same, and each and every part and parcel thereof, with the appurtenances: To have and to hold all and singular the lands and premises hereby granted, or intended so to be, and each and every part and parcel thereof, with the appurtenances, unto the said party hereto of the second part, and the survivors and survivor of them, and the heirs and assigns of such survivor forever, as joint tenants and not as tenants in common, for the uses and purposes in this indenture set forth and declared, and subject to the provisions and requirements of the before-mentioned act of Congress of the United States, and the before-mentioned act of the Legislature of the State of Missouri, and subject also to the possession, control and management of the Directors of said Company, so long as said construction-bonds or obligations shall remain unforfeited, by the proper performance of all the stipulations thereof.

Provided always, And these presents are upon the express condition,

that if the said parties of the first part, shall well and truly pay, or cause to be paid, to the holders of the said const ruction-bonds or obligations, and every of them, the principal sums of money therein mentioned, according to the true intent and meaning thereof, with the interest thereon, at the times and in the manner as hereinafter provided, according to the true intent and meaning of these presents, that then and from thenceforth this indenture and the estate hereby granted, shall cease, determine, and be utterly void.

And this indenture further witnesseth, That these presents and the said construction-bonds or obligations are made, executed and delivered upon the terms, conditions and agreements following, that is to say:

First. That the actual possession, use, management and control of the said Railroad, with all the appurtenances to it belonging, shall be and remain with the parties of the first part, without any molestation or interference of the parties of the second part, so long as the said construction-bonds or obligations shall remain without default or forfeiture, and said parties of the first part shall perform and keep the stipulations thereof.

Second. That the one million acres of land granted as aforesaid shall be carefully valued and appraised by the said parties of the first part, their officers and agents, and the relative value of each piece or parcel of land established, for the purpose of division and allotment thereof into five classes, of the following number of acres and valuations, that is to say:

1. First class, consisting of lands of special value, as coal-fields, quarries of stone, minerals, &c., or from peculiarity of location, as being near towns or villages,	
50,000 acres, minimum valuation $20 per acre,	$1,000,000
2. Second class, of lands of superior agricultural qualities and location,	
150,000 acres, minimum valuation $15 per acre,	2,250,000
3. Third class, of lands of good agricultural qualities,	
500,000 acres, minimum valuation $10 per acre,	5,000,000
4. Fourth class, of lands of low agricultural qualities, within fifteen miles of the road, but capable of cultivation,	
200,000 acres, minimum valuation $5 per acre,	1,000,000
5. Fifth class, of inferior lands,	
100,000 acres, minimum valuation $2.50 per acre,	250,000
Forming an aggregate valuation for 1,000,000 acres, of	$9,500,000

All of which the said parties of the first part, with as little delay as practicable, shall certify and declare to the said parties of the second part, by proper lists and schedules, under seal, with such description as shall enable the parties of the second part to ascertain and establish the precise location, position, and boundaries, of each and every piece or parcel of said land, and the class to which the same belongs, and the price or sum for which the same may be sold and conveyed; which price or sum may be varied and changed, from time to time, at the pleasure of said parties of the first part. Provided, however, that the selling price of any piece or parcel of land shall in no case be less than the minimum valuation of the same hereinbefore given, and of the class to which it is allotted, until the aggregate sum actually realized and received in money, or by the surrender of construction-bonds or obligations, as hereinafter provided, shall amount to the aggregate valuation of any of the classes above set forth and declared, when the said parties of the first part may instruct and empower the said parties of the second part to sell and convey any remaining pieces or parcels of land of said class, at such price as they may deem proper, even below the minimum valuation of the class, but not to alter or change the mode of selling, or the appropriation of the proceeds and receipts from such sales.

Third. That the said parties of the second part having received from the said parties of the first part, such said lists, schedules, allotments, valuations, and selling prices, shall and will grant, bargain, sell, and convey to all persons, bodies politic or corporate, applying for the purchase of the lands and premises above mentioned, making or tendering payment therefor, at prices not less than the selling rates established by the said parties of the first part, and shall require in payment the surrender of construction-bonds, or bond, nearest in amount to the actual purchase-money and consideration of the conveyance, and the payment of the residue of said purchase-money in cash; but in no case shall any piece or parcel of land be sold and conveyed by the said parties of the second part, without the surrender and consequent discharge of said construction-bonds or bond. And whenever any purchaser may tender construction-bonds or bond, exceeding in amount the purchase-money of the land for which application is made, the parties of the second part may receive the same and pay the excess (provided the same does not exceed two hundred and fifty dollars in any one case), in money to the purchaser: the intent thereof being thereby to anticipate the payment of said construction-bonds or bond, by the sale and conveyance of said land, in manner aforesaid.

Fourth. That the said parties of the second part shall and will cancel

and discharge each and every construction bond, or obligation, and the interest warrants thereon, which they may receive in payment for land, and as part or the whole consideration of each deed or sale, by defacing the seal of the corporation on receipt thereof, and will make, or cause to be made, on or upon the face thereof, a note or memorandum, with proper description of the land sold and conveyed, with the date of the conveyance, for which the same has been received and canceled, in such manner and form as will enable the parties of the first part to trace and follow the appropriation of all the said construction-bonds.

Fifth. That the said parties of the second part shall and will set forth and declare, in each and every deed of conveyance, the true amount of the purchase-money of the land and premises conveyed, or intended to be conveyed thereby, and the part thereof for which a bond or bonds may have been received, with the number and amount thereof, and also the sum actually paid in cash for the residue and remainder of said purchase-money, and also whenever a bond or bonds exceeding the amount of the purchase-money may have been received in payment thereof, the amount in cash actually refunded to the purchaser, or holder of said bond or bonds, for such excess.

Sixth. That the interest warrants of said construction-bonds or obligations, becoming due and payable during the progress of the works of construction, and up to and inclusive of the warrants for the semi-annual interest, becoming due and payable next after the completion and actual use of the said Southwestern Branch Railroad, shall be paid from and out of the proceeds and avails of the said construction-bonds or obligations, as part of the cost of said road; but that all interest-warrants becoming due and payable thereafter, when the said railroad shall be put in operation, shall be paid from and out of the receipts and income from the use and operation of the road, unless the same be inadequate thereto, which receipts and income are to be appropriated and applied to the following purposes, and in the following manner:

First. To the payment of all current charges, such as wages, repairs of road, rolling stock, &c., as usual, and to cover such annual depreciation as shall maintain the rolling stock equal to its original valuation, and to such additions as may be made thereto from capital accounts, but not inclusive of new and additional equipment, except on special order of the directors, after full provision for the interest: including, however, all the expenses of the incorporation, which may be ordered specially as a current charge.

Second. To the payment of lawful taxes.

Third. To the payment of the full amount of interest-warrants, as they semi-annually mature.

Fourth. To the payment of such dividends as the directors may order from time to time, to be paid to the stock holders, or to such other appropriation as the directors may order.

Seventh. That the said parties of the first part shall and will create set aside, and preserve an interest-fund, as further and collateral security for the punctual payment of all the interest-warrants of the said construction-bonds or obligations, at the times when the same severally become due and payable, in manner following, that is to say:

First. By the appropriation to this fund of any profit which may be realized by the operation of such parts of the said Southwestern Branch road as may be ready for use before the completion of the whole line.

Second. By the appropriation of the proceeds of sales of two hundred thousand acres of the donated lands, set aside for this purpose, and held by the company free from incumbrance.

And this indenture further witnesseth, That the said parties of the first part, for themselves and their successors, do covenant and agree to pay unto the holders of the said construction-bonds or obligations, respectively, the said principal sums of money therein respectively mentioned as above, and as expressed in said bonds or obligations, according to the true intent and meaning thereof. And that if default shall be made in the payment of the interest upon the said construction-bonds or obligations, so that a sum equal to one year's interest on the whole amount of the said construction-bonds or obligations actually issued and secured by these presents, or if default shall be made in the payment of the principal of said construction-bonds or obligations, that then and from thenceforth it shall, and may be lawful for the said parties of the second part to enter into and upon and take possession of all and singular the said Railroad, and all the property included, or intended to be included in this mortgage, and also all the engines, tenders, cars, carriages, tools, machinery, and materials in any way belonging or appertaining to said road and branch, then owned by said parties of the first part, in the same manner as if the same had actually been included in and held by this indenture of mortgage; and that the said parties of the second part shall and may, by themselves, their officers and agents, take, receive, and collect the income and profits of said Railroad and Branch, first applying the same to the payment and discharge of all the current expenses of said Railroad and Branch, and their needful repairs, and next to the payment of lawful taxes imposed after the completion of the road, as provided in the act of

the twenty-fifth day of December, one thousand eight hundred and fifty-two, conveying the lands, and then to the payment of the interest and principal of said construction-bonds or obligations, in such manner as they may deem proper.

And further, That the said parties of the second part, having entered into full possession of said railroad and branch, and all the equipment thereto belonging, as before provided, may proceed to sell and dispose of the same, and all and singular the lands, hereinbefore particularly set forth and described, remaining unsold at the time of such entry, if any there be, and also each and every piece or parcel of land and premises, parts and parcels of the land granted by the State of Missouri to the said parties of the first part, and which have not been and are not intended to be included in this indenture of mortgage, which may then remain unsold and in the possession of the said parties of the first part, in the same manner as if said lands had been included in these presents, and mortgaged for the purposes herein set forth and declared; and may make such sale of the said premises, each and every of them, and all benefit and equity of redemption of the said parties of the first part therein, at public auction, giving reasonable and public notice of the time and place of said sale, and as the attorney of the said parties of the first part for that purpose, by these presents duly authorized, constituted and appointed, to make and deliver to the purchaser or purchasers thereof a good and sufficient deed or deeds of conveyance in the law, for the same, in fee simple, and good and sufficient transfers and assignments of such personal property, and out of the moneys arising from such sale and sales, to retain the principal and interest which shall then be due on said construction-bonds or obligations, for the benefit of the holders thereof, together with the costs and charges of advertisement and sale of said premises, rendering the overplus of the purchase money (if any there shall be) unto the said parties of the first part, their successors and assigns: which sale shall for ever be a perpetual bar, both in law and equity, against the said parties of the first part, their successors and assigns, and all other persons claiming or to claim the premises, or any part thereof, by, from, or under them, or either of them.

And it is hereby mutually agreed, by and between the parties to these presents, that the said parties of the second part, their heirs, executors or administrators, shall not be answerable for the acts, omissions, or defaults of each other, and that each shall be responsible for gross negligence and willful defaults only.

And it is further agreed, That the said parties of the first part, their successors, and all and every person or persons whomsoever lawfully or

equitably deriving any estate, right, title or interest of, in or to the premises hereinbefore granted, by, from, under or in trust for them, shall and will at any time or times hereafter, upon the reasonable request and at the proper costs and charges in the law of the said parties of the second part, their heirs and assigns, make, do, and execute, and cause to be made, done, and executed, all and every such further and other reasonable acts, conveyances and assurances in the law for the better and more effectually vesting and confirming the premises hereby granted or intended so to be, in and to the said parties of the second part, their heirs and assigns forever, as by the said parties of the second part, their heirs or assigns, or their counsel learned in the law, shall be reasonably devised, advised or required.

In witness whereof, The said parties of the first part, the Pacific Railroad Company, have caused their corporate seal to be hereunto affixed, and these presents to be signed by THOMAS ALLEN, their President, and the said parties of the second part, the said HENRY D. BACON, GEORGE W. RIGGS, JR., and LUTHER C. CLARK, have hereunto set their hands and seals, the day and year first above written.

Sealed and delivered in the presence of } [Seal] THOMAS ALLEN,
President Pacific Railroad.

WM. T. RIGGS,
JOHN ELLIOTT.

Attest: SAMUEL COPP, Jun.,
Sec'y. P. R. R. Co.

State of New York,
City and County of New York. } ss.

Be it remembered, that on the third day of June, in the year of our Lord one thousand eight hundred and fifty-three, before me, the subscriber, a commissioner in and for the State of New York, duly commissioned by the Governor of the State of Missouri, to take the acknowledgement and proof of deeds and other instruments in writing, to be used or recorded in said State of Missouri, personally appeared Thomas Allen, President of the Pacific Railroad Company, to me personally known to be the same person described in and who executed the foregoing instrument of conveyance, as party thereto, and acknowledged the same to be his act and deed, as President of the said Pacific Railroad Company, thereunto duly authorized, for the uses and purposes therein set forth.

In testimony whereof, I have hereunto set my hand and affix-
[SEAL.] ed my official seal, the day and year first above written.

JOHN ELLIOTT,
Commissioner for the State of Missouri.

EXTRACTS

From the Annual Report of the Board of Directors.

Office Pacific Railroad,
St. Louis, March 28, 1853.

1. The total amount subscribed to the capital stock of the company to this date, is something over $2,800,000. This is exclusive of contractors' stock, the precise amount of which cannot be ascertained until the final settlement of contracts. It is also exclusive of any subscriptions made for the Southwestern Branch. Nevertheless, a considerable portion of the above-mentioned sum is conditioned upon certain locations of the road west of Jefferson city.

The amount of subscriptions between St. Louis and Jefferson city (including Franklin county $50,000 and Cole county $50,000, and $23,000 paid up in full), is $1,400,750.

The amount subscribed west of Jefferson city, on condition of location *via* Boonville and Lexington (including $190,000 in Jackson county as common to both lines), is $1,015,000.

The amount subscribed west of Jefferson city, on condition of location *via* Johnson county (including $190,000 in Jackson county), is about $550,000.

The total amount of subscriptions, therefore, due to the line from St. Louis to the Kansas, *via* Boonville and Lexington, is $2,415,750. And the total amount due to the line from St. Louis to the Kansas, *via* Johnson county, is $1,950,750.

2. The amount of installments called in to the present time, is fifty per cent., of which the amount paid up is $609,965.

3. The total amount expended, for all the objects of the company, to 21st of March, is $1,378,487 85.

4. The indebtedness of the company, including amounts due contractors, is about $75,000.

The amount of State bonds received to this date, is $650,000.

5. The actual amount of receipts and expenditures (apportioned) exclusive of transportation receipts, to the 21st, will fully and particularly appear from the following report of the Secretary's balance sheet:

EXHIBIT A.

Trial balance of Secretary's Ledger, Pacific Railroad Company, ending 21st March, 1853, and embracing all entries up to Folio 202, inclusive of Journal.

DEBITS.		CREDITS.	
Bal. due on stock subscript'ns.	$915,385 00	Capital Stock Subscription, including only such Stock as is entered on Journal...	$1,502,350 00
Preliminary surveys (P. R. R.)	29,057 74	Bills payable	11,128 69
Interest and exchange account.	29,698 87	Capital Stock (paid up)	23,000 00
Location surveys (P. R. R)	11,406 55	Samuel Copp, jr., Treasurer.	90,244 27
Land and damages	156,731 50	State of Missouri, for Bonds.	650,000 00
Discount on bonds	11,816 25	Premium on Bonds	26,756 05
Superintending construction	32,168 57		
Balance in hands of officers for disbursement unsettled	9,606 16		
Contractor's account	530,431 13		
Fencing account	8,688 10		
Graduation account	105,839 80		
Masonry and bridges	47,645 61		
Superstructure	226,896 44		
Mach. shops and engine houses	42,445 32		
Gravel and hand cars	1,039 67		
Passenger and baggage cars	9,275 58		
Station buildings	891 23		
Ballasting account	11,672 25		
Freight cars	16,930 38		
Preliminary surveys, I. M. B'ch	4,111 28		
" "S. W. "	10,206 27		
Land grant	15,830 15		
Tools and shop machinery	15,326 47		
Water supply	1,957 24		
Office expenses and conting'es	19,862 65		
Locomotives	31,857 34		
Location surveys, S. W. Br'ch	6,330 35		
Turntables	365 36		
Office expenses, S. W. Branch.	5 75		
	$2,203,479 01		$2,203,479 01

(E. E.)
St. Louis, 25th March, 1853.

Our preparations have been made with reference to a long road and to a first-class road, and with the view of independence in respect to repairs and to the construction of cars. Our surplus real estate would doubtless sell at considerably enhanced prices, and, if sold, reduce very

materially the actual charge to land and damages. What is done, we have aimed to make of a permanent character, such as is alone suitable for a first-class road.

We have built a machine shop, engine house, blacksmith's shop, car shop, and furnished them with tools and machinery, on the ground purchased of G. S. Chouteau, about two miles west of 14th street depot. A turn table, a wood shed, and water tank, are placed at the same station. Three locomotives, manufactured at the East, were put together there. Two fair specimens of second-class passenger cars are now upon the track, built by the company at their car shop, and two of the first class are now building. We have been of opinion that the company can build them cheaper and better than they can be delivered here from the East. Two first-class passenger cars, built for us by Eaton & Gilbert, of Troy, N. Y., and sent here in pieces, will probably have to be reconstructed. The time may soon come, however, when it will be more economical to construct cars, as well as locomotives, by contract with individuals. We have on hand four passenger cars, fifteen house cars, fifteen open or platform and twenty-four gravel cars—all built in the city, excepting two passenger and four hand cars—and all the ties, spikes, chairs and rails necessary for the first forty miles of the road, with its necessary sidings and turnouts. Messrs. Palm & Robertson, of this city, have a contract to build five locomotives for this company; and the first one (being also the first ever constructed west of the Mississippi), it is expected will be completed within the next sixty days. Another locomotive, ordered at Patterson last fall, is ready for shipment. The track-laying has been stopped for some time past by the unfinished grading near Kirkwood; but is now resumed, and we trust will be steadily prosecuted to the end without further hindrance. The whole division is, therefore, nearly completed, and we hope by the first of July next to pass over the division in a train, of which the locomotive and cars shall be of St. Louis manufacture.

We need only a rolling mill to turn out rails, and we have all the means of railroad construction within our own State, and need not cross the Mississippi for a single important article.

The first locomotive (the Pacific, No. 3), was launched upon the track, and ran out with a load of rails and ties on the first December, 1852. The first passenger train ran out to Cheltenham, five miles, on the 9th December, and on the 23d of that month commenced running regularly.

The second division will reach Jefferson City, about one hundred and twenty-five miles from St. Louis. This division is now located through Gray's Gap into the valley of the Missouri, and the line follows that val-

ley to Jefferson City. The work, in crossing into the Missouri, about fifteen miles from the end of the first division, will be rather heavy, but should be pushed forward with all possible expedition. The work along the Missouri River, with the exception of one tunnel, will be mostly side-hill work, and should be comparatively of prompt construction. Proposals have been invited from contractors, to close by the first of April for the first twenty miles, and by the first of May for the remainder of the division.

The engineer estimates the cost of grading and bridging the second division—in other words, preparing the road-bed for the track—at $1,500,000. The length of the second division is eighty-eight miles. In order to complete this work as soon as practicable, the stockholders will doubtless be willing to pay up their subscriptions in full within the next eighteen months.

A special call of ten per cent. has been made upon the stockholders residing on the second division, payable the first of May.

The estimates of the engineer, based upon surveys, from the end of the first division, to complete the road, are as follows :

PACIFIC RAILROAD TO JACKSON COUNTY.

(*Only one of these routes to be adopted.*)

Length, *via* Boonville and Lexington, to the boundary,	254.81 miles.
Cost,	$6,576,000.
Length, *via* Johnson county, to the boundary,	243.73 miles.
Cost,	$6,200,000.

SOUTH WESTERN BRANCH.

Length from end of first division,	300 miles.
Cost,	$7,800,000.

These estimates are exclusive of rolling stock and land damages.

Congress at its recent session appropriated $150,000 to the survey of routes for a railroad across the continent, to connect the Atlantic States with the Pacific. This is, in fact, the beginning of the great Pacific Railroad; and it now behooves us to push on both our lines with increased energy, so that we shall be in a position to reach that road whatever route for it may be adopted. Our line to the southwest looks to the direction of the Canadian and the southern route, while our line to the Kanzas points to the central and also to the northern route. Our Legislature have granted this company the right to extend their road to any point west of the boundary, even to the Pacific. Our position is, therefore, favorable for an inevitable connection with the National Pacific Road. If

it should happen that a route should be adopted connecting with either of our lines, the stock of this company will certainly be a prize. Looking to the probabilities in our favor, and to the munificent grant of lands made to this company, as well as to the general position and relations of our road, the stock of this company must be admitted to be of most excellent promise.

The guage adopted by this company (five feet six inches) has been adopted as the guage of Missouri, and it has also been adopted by the New Orleans Great Western Railroad, which is looking to a connection with our road and with the road to California. It is highly important that this should be the guage of all railroads west of the Mississippi.

Respectfully submitted,

THOMAS ALLEN,

President.

ESTIMATE OF PROBABLE BUSINESS AND ULTIMATE COST,

WITH STATISTICAL TABLES OF POPULATION AND PRODUCTS OF THE COUNTRY.

PACIFIC RAILROAD,
Engineer's Office, St. Louis, April 18, 1853.

THOMAS ALLEN, Esq., *President Pacific Railroad.*

SIR:—In obedience to your request, I herewith furnish you a statement illustrative of the probable amount of annual business on the route of the Pacific Railroad through this State, and on the Southwest Branch of the road. Estimates of business to be expected on a new route of railroad are, at best, uncertain, but they generally prove below the truth. In these estimates, I have aimed to make them so moderate that all acquainted with the country may simply be satisfied that more business than I have stated may be expected.

The estimate of cost is based on the experience gained in the construction of the first division, where peculiar difficulties have been met, and is, I think, ample.

I have considered, the U. S. Census returns for 1850 furnished the most reliable data for estimate. Accompanying this, are abstracts from the census, showing—

1st. Population and principal agricultural products of the soil within twenty miles of route of main line of Pacific Railroad through this State.

2d. The same for the Southwest Branch.

3d. A condensed statement of the principal agricultural products of that portion of the State which will be tributary to the traffic of the Southwest Branch.

The route of the Pacific Railroad proper is, in reference to navigable streams, inland from St. Louis, for about fifty miles. Thence to Jefferson City, 75 miles, the valley of the Missouri river is followed. Beyond this, the Legislature of the State has fixed the route inland, through the rich

prairies of the counties of Miniteau, Pettis, Johnson, Lafayette, and Jackson, to the Missouri river at Kanzas, on the State line; distant from St. Louis about two hundred and eighty miles.

This route, to a certain extent, comes into competition with the navigation of the Missouri river; but this navigation is at all times tedious, and for one-third of the season, intricate and dangerous. The average time made by steamboats up stream, including stops, does not exceed five miles an hour, and, the boats having to lay by at night, the average time down stream is not more than seven miles. The risk, delay and cost attending freighting by this river, will make competition with it comparatively easy.

But, to be on the safe side, I have assumed that no business will cross the river to reach the railroad, and have only assumed in estimating business, a strip of country as tributary to this road, bounded on the north by the Missouri river and on the south by a line twenty miles distant from the road.

The Southwest Branch passes inland its whole length, developing a country that, up to this time, has had no convenient access to a market. In estimating the business on this route, I have taken the part of the State that, considering other proposed roads, is naturally tributary. The following extract from the report of the engineer, J. K. Ford, in charge of that branch, gives a fair idea of the country passed through :—

"For the more conveniently considering this subject, I have divided the portion of the State tributary to this road into three portions, each of which has its distributive characteristics of soil, mineral and agricultural products, and of the grades and curves on that portion of the road within its limits.

"The first division extends from the main stem of the Pacific Railroad about forty miles from St. Louis, near the west line of St. Louis county, to the Gasconade river, at the mouth of Little Piney, a distance of about ninety miles. The line is mostly on the ridge, or divide, between the waters of the Meramec and those of the Bourbeuse; it descends the valley of Beaver Creek to Little Piney, and down that stream to its mouth.

"The country traversed by and tributary to this portion of the road, is rich in iron, lead and copper; the Meramec iron works are within six miles of the road, and several mines of lead and copper are now successfully worked.

"There are two iron works on the Meramec; the Moselle, at the mouth

of the Bourbeuse, and the Meramec or James' at the Great Spring, near the mouth of the dry fork of the Meramec.

"James' works consists of one furnace, several bloomeries and a rolling mill. Their ore banks are inexhaustible, and their iron of superior quality. Their water power is the best in the State. Another iron furnace has been commenced on the south side of the Meramec, near the Moselle works; but operations have been suspended for thepresent, though not because of any deficiency of ore.

"Iron ore is in sufficient abundance on other parts of the Meramec to warrant the erection of furnaces, if proper facilities were afforded for sending the products to market.

"The lead furnaces on the Meramec, are as follows, to wit; Thews & Valles', which smelts the products of the Mount Hope and Cove leads. These leads are vertical, and of good strength, and will produce permanent yield of ore. I. N. Inge's furnace is 'Virginia Lead,' the richest and strongest vertical lead vein ever opened in the United States, but not worked very much now, for want of capital and mining enterprise to work it below its present levels, now about 260 feet from the surface, to which depth it has been worked by horse power. There are three other lead furnaces on the Meramec—Gallaher's, Hibler's, and Chapman's. The yield of these furnaces is not known, nor are they in blast but part of the time, as no steady mining is carried on in their vicinity, for want of the requisite capital, and mining experience to penetrate below the mere surface of the earth, and for want of transportation.

"No vertical lead veins have been discovered above the 'Virginia Lead;' but nearly every hill bordering the Meramec, from this point to the Courtois creek, a distance of about forty miles, will yield more or less lead; the formation being that of magnesian limestone, known as the 'lead bearing rock.' The lead ore, so far as discovered, exists in horizontal layers, beds or veins (in this region) at different elevations, which have not been opened, except in a few instances. The mining now carried on consists in searching for the loose ore beneath the clay on the sides of the hills, where its rocky inclosure has decayed, and left the ore free, and easily to be obtained by the pick and shovel of the most inexperienced miner. When capital and mining experience are entered in business, it is believed the yields of lead ore on the Meramec will be very large.

"In addition to the lead veins already referred to, there are several other mines which yield well, though not yet proven to be vertical veins. These are the Gonerelly and Berthold mine, the Thomas mine, Clark

and Westover mines, Green's diggings, Mineral Hill diggings, and Frank and William's mines, all of which yield well, when mined with judgment. There are two copper furnaces, one owned by the Stanton Copper Company of St. Louis, the other by the Meramic Copper Company. Only one, the Stanton Copper Company's, has been in operation the last year.

"Each company own several valuable copper mines along the Meramec.

"Clark and Hibler also own several, which have been only far enough explored to show that they were valuable mines.

"Mr. A. Park is owner of several copper mines of value, and has been opening one or two the last year on the Indian Creek, a tributary of the Meramec. None of these mines except those of the Stanton Copper Company have been opened deeper than can be done by a common hand windlass, yet the yield has in some instances been very promising. The Stanton Copper Company have been working with horse power the last year; and the rich yield of their mine has induced them to resort to steam power, in order to descend to greater depths, and richer ores.

"As an agricultural country, it is not equal to the region farther west; the ridges are rocky and not very fertile—but the valleys are very productive.

"The second division extends from the mouth of the Little Piney to Springfield, a distance of about one hundred and fifteen miles. Immediately to the south, on the head waters of the Meramec, St. Francis, Big Black, and Current river, and on the tributaries of the Gasconade, are very extensive pine forests. The pine from the head waters of Indian Creek, the Bazile, and Courtois will find its way to market over the Southwestern Branch, though it lies from twelve to twenty miles from the line of road. But the largest portion, for the present, will come from the Piney Creek, and other parts of the waters of the Gasconade. It is estimated that there are from thirty to forty pine saw-mills on these waters, the products of which, sent down the river, are from three to four million feet annually. The dangers and uncertainties of the river navigation operate to the serious injury of this trade. Some of the large lumber dealers were nearly ruined last year, by the loss of rafts on the Missouri. There is good reason for believing that all the lumber sent to St. Louis will seek conveyance by the railroad, and in addition a large business be established for the broad prairie plains of the southwest.

"The line after leaving the valley of the Gasconade, lies upon the ridge between the Osage and Gasconade. For the first thirty miles the ridge is narrow, crooked and undulating: from this westward the character of the country begins to change, the ridge becomes broader, the declivities

are less abrupt, the valleys wider, and a larger proportion of the land seems to be fertile and productive. I am not aware of any minerals having been discovered in this division.

"The third division extends from Springfield to the State line, a distance of about ninety-five miles. About thirty miles west of Springfield, the line leaves the summit between the Osage and White River waters; and passing down one branch of Spring River, and up another, it crosses into the valley of Clear Creek, down that to Shoal Creek, and down that to the mouth of Hickory Creek, near Neosho, then up a small tributary of Hickory, to the head of Lost Creek, and down that stream to the State line at a point about twenty-five miles north of the Arkansas line.

"The region traversed by this division is of the richest and most fertile nature; broad prairies slightly undulating, wide valleys, gentle declivities of varied character, but all fertile, constitute the greater portion of this part of the State. Near Neosho, the line passes through an immense deposit of lead ore, which has been found to extend over an area of more than five hundred square miles. The ore is exceedingly abundant, and easily mined, it yields over 70 per cent. of lead, of the best and softest quality. At present only one furnace is employed in smelting the lead, and that is only worked two or three months in the year. The pigs are hauled in wagons twenty miles to the Neosho river, sent in flat boats down to Fort Smith, and thence in steamboats down the Arkansas, and Mississippi to New Orleans, and thence by sea to New York. This can only be done for a few months in the spring; and though the profits are sufficiently remunerative, the great want of capital has hitherto prevented the working these mines to any great extent. It would be difficult to estimate correctly the amount that would be made and sent to market, were there a regular, cheap and speedy communication by railroad with St. Louis.

"Coal is also found in the vicinity of the line, and Shoal, Hickory and Spring Creeks on the north, and Buffalo on the south, afford abundant supplies of power for machinery. For some of the information given above I am indebted to Dr. Reed."

Beyond the terminus lies a vast and fertile territory now inhabited by the numerous Indian tribes accumulated there by the policy of the government. Many of these tribes are partially civilized and engaged in agriculture. Immediately beyond lay fields of *salt*, and thousands of acres covered with gypsum.

In the following estimate of business, I have assumed, using data furnished by census returns of 1850, that within two years of construction of

road, the principal agricultural products—such as wheat, tobacco, hemp, hay, butter, cheese, &c., &c.—or an equivalent in weight to the amount now raised, will be annually sent to market. That the corn and oats, forming now the great bulk of produce, will *not* be sent to market, but will be fed to stock, and that one quarter of the horses and cattle, half of the sheep and swine, now raised, or an equivalent in weight, will be annually sent to market. For passengers, I presume that, from the country tributary, one quarter of the population will go and return once in the year to St. Louis, and half will go, as way passengers, an average distance of twenty miles.

As the through trade from the S. W. Branch must pass over a portion of the main line, I will first estimate the business on Branch.

Items added to census returns will be seen in the estimate.

Estimate of business to be expected on the Southwest Branch of the Pacific Railroad.

FREIGHT.

From the country tributary to this branch, the census returns show the principal agricultural products (exclusive of corn and oats) to be—

Principal agricultural products, - -	tons, 19,522.
One-quarter of horses and cattle, - - -	No. 52,511.
One-half of sheep and swine, - -	" 201,680.

123,000	This, at 2½ cents per ton per mile, with some addition for minor products, would fairly yield an equivalent to tonnage of 123,000 tons, with average distance at 180 miles to St. Louis and between way-stations, - - - - -	$553,000
17,000	The saving in transportation for iron, to the nearest furnace will be about $3.75 per ton. There are now three at work. I assume ten iron furnaces, producing 2,000 tons annually, which is said to be the average of the Ohio furnaces. Part of this will go westward: I estimate 17,000 tons iron to go to St. Louis. Average distance on branch 54 miles, 2½ cents per ton per mile, - - -	22,950
3,000	tons iron to go westward, average distance, 100 miles, 2½ cents per ton per mile, - -	7,500
5,000	tons of lead and copper, from the furnaces on Meramec, from first division. Average distance on branch 54 miles, 2½ cents per ton per mile, -	12,500

5,000	tons lead from third division, (near Neosho.) Average distance, 264 miles, at 2 cents per ton per mile, - - - - - - -	26,400
	The lumber from second division, on Gasconade River, will make much business. Assuming 18 mills at work 250 days of the year, at 2,000 feet per day, the amount would be 9,000,000 square feet, or about 10,000 tons. The additional facilities afforded by the railroad will increase demand, but	
6,000	I only asssume 6,000 tons to St. Louis. Average distance on branch, 90 miles, at 2½ cents per ton per mile, - - - - - -	13,500
2,000	tons westward. Average distance on branch, 100 miles, at 2½ cents per ton per mile, - -	5,000
	Coal will be taken from the S. W. Branch and brought from main line of Pacific Road, for use in	
10,000	furnaces. This may safely be estimated at 10,000 tons. Average distance, 100 miles, at 1¼ cents per ton per mile, - - - - - -	12,500
	Produce will be brought from the N. W. part of Arkansas, and from the rich prairies, fertile for agricultural products and rich in mineral, coal and salt, immediately west of the State line. This may safely	
10,000	be estimated at 10,000 tons. Average distance to St. Louis and way-stations, 200 miles, at 2½ cents per ton per mile, - - - - -	50,000
	Experience has shown that at least one-tenth of the whole tonnage of a railroad, is made up of merchandise going into the country. This freight bears a higher charge, and may be safely estimated at	
10,000	tons merchandise at 4 cents per ton per mile, -	72,000
	Mail and express service, about, - -	20,000
191,000.	Total freight business, -	$795,850

PASSENGERS.

Using the data from census returns, it may safely be estimated that, from the country tributary, one-

	fourth of the population will go to St. Louis once in the year, and one-half will be carried, as way-passengers, an average distance of 20 miles. This	
23,500	gives 23,500 passengers, 180 miles, for the State, to and from St. Louis, at 2½ cents per mile, -	210,150
47,000	way-passengers, 20 miles, - - -	23,000
	There may be estimated—	
4,000	passengers from St. Louis and returning, average distance of 150 miles, at 2½ cents per mile, -	30,000
5,000	passengers to and from Arkansas and the plains west of the State line. Average distance 200 miles, at 2½ cents, - - - - -	25,000
79,500	Total passenger business, - -	$288,150

Total freight,	$795,850	
Total passengers,	288,150	
Total estimated business ———		$1,084,000
Deduct 50 per cent. for expenses,	542,000	
———		$542,000
Estimated cost of Southwest Branch, exclusive of cars and engines, -	$7,782,000	
I had estimated $375,000 for cars and engines, but, for the above business, this should be - - -	750,000	
	$8,532,000	

Shewing dividend of about 6½ per cent.

Estimate of business to be expected on the Pacific Railroad, through Missouri, from St. Louis to Kanzas.

FREIGHT.

I will here repeat that as this route, in part, competes with the Missouri, I only assume business from census returns, as from south of the river.

From the country south of the Missouri river to a line twenty miles south of the Pacific Railroad, the census returns show :—

Principal agricultural products, - -	Tons,	50,000
One-fourth horses and cattle, - -	No.	40,000
One-half sheep and swine, - - -	No.	175,000

129,000	This at 2½ cents per ton per mile, with some addition for minor products, would fairly yield an equivalent to 129,000 tons, with average distance of 180 miles, equal to - - - -	$580,500
10,000	tons merchandise from St. Louis, 150 miles, at 4 cents per mile, - - - - - -	60,000
20,000	From the Osage River for some distance westward, the road passes near extensive fields of cannel coal. It may safely be estimated that 20,000 tons will be taken to St. Louis, average distance 125 miles, at 1¼ cents per ton per mile—about - -	32,000
20,000	For freight received from Upper Missouri, Santa Fe, Salt Lake, California, &c., and for return freight, and for government stores, it may be stated as not less than 20,000 tons—average distance 280 miles, at 2½ cents per mile, - - -	140,000
130,000	tons—produce and iron from Southwestern Branch, 40 miles, at 2½ cents, - - - - -	130,000
10,000	tons—merchandise to Southwestern Branch, 40 miles, at 4 cents, - - - - -	16,000
	Mail and express, about, - - -	20,000
319,000	tons. Total freight,	$978,500

PASSENGERS.

23,000	One quarter of the population (exclusive of St. Louis county), in the strip of country south of Missouri, for through passengers, and one-half for way passengers at 20 miles each, gives passengers, average distance 150 miles, at 2½ cents,	103,500
46,000	do do 20 do " do	23,000
5,000	To this may be added one-tenth and one-fifth of the residents on the north side of the river within 20 miles— passengers, average distance 180 miles, at 2½ cents per mile, - - - - -	22,500
10,000	do do 20 do " do	5,000
	There may be estimated for passengers for Salt	

	Lake, California, the Upper Missouri, officers of the army and agents of government		
20,000	passengers, an average distance of 200 miles, at 2½ cents, - - - - - - -		50,000
	For pleasure travel, from St Louis to the Meramec, Sulphur Springs, and for way business from neighboring villages and settlements, being now made there, may be estimated an average of 60 a day each way—		
45,000	for 10 miles equal to 45,000 at 25 cents, - -		11,250
32,000	passengers from Southwestern Branch, 40 miles and return, - - - - - -		64,000
181,000	Total passenger business, - -		$279,250
	Total freight, - - - -	$978,500	
	Total passengers, - - -	279,250	
	Total estimated business, - -	$1,257,750	
	Deduct 50 per cent. for expenses,	628,750	
			$629,000
Estimated cost exclusive of cars and engines, - - -			$9,483,000
Add for engine and cars, - - - -			750,000
			$8,233,000

Showing a dividend of about 7⅔ per cent.

A summary of the two routes shows:

Estimated cost, (exclusive of engines and cars), - -		$15,265,000
Engines and cars, - - - - -		1,500,000
		$16,765,000
From earnings of the two routes, - -	$2,341,780	
Deduct for expenses, - - - -	1,170,780	
	$1,171,000	

This is about 7 per cent. on the cost.

In the above estimates, I have been much governed by the census returns, and have been led to some results that my judgment might reject.

It will be seen that the freight business from the Southwestern Branch is estimated as less than from the Pacific Road proper, and the passenger business greater. It would probably be the reverse. This is caused by the present partial development of the main line by the Missouri River, giving a large proportion of present improved land in a comparatively narrow strip, while the passengers from the north side of the river I have supposed to be accommodated to a considerable extent by the North Missouri Railroad. But I have preferred showing the results from the data assumed, believing that the business two years after completion of roads will in reality exceed the estimate. The increase of population, and the stimulus given to the energy of the inhabitants by the business that will be created in building the roads will double the products, as given in the census, before the road can be finished. The southwest part of the State is now almost shut from market, and little is sent but stock. At present their merchandise is shipped to Boonville by river, and thence wagoned an average distance of 180 miles. A railroad would quadruple the tonnage to be transported to and from this district, one of the most fertile in the State, and draw trade from Arkansas to the south, and the (present) Indian country to the west.

I have not attempted to consider the business over these roads after connection with the Pacific Ocean.

The business then must far exceed any estimate that could now be made.

Very respectfully

THOMAS S. O'SULLIVAN,

Engineer.

Extracts from the Census of 1850, *showing the population and the principal agricultural products of the country, lying within twenty miles on each side of the South-west Branch of the Pacific Railroad.*

Name of county.	Proport'n within twenty miles.	Population.	Acres of land in farms.		Value of farming implem'ts and machinery.	Cattle, incl. cows, horses, asses, mules, oxen, &c	Sheep.	Swine.	Wool.	Wheat.	Rye.	Corn.	Oats.	Tobacco.	Flax.	Sweet and Irish Potatoes.	Products of Orchards.	Butter.	Hay.	Beeswax and Honey.	Value of Home Manufactures.	Value of animals slaughtered.
			d	Unim.	Doll's.	No.	No.	No.	lbs.	Bush's	Bus.	Bush'ls	Bush.	lbs.	lbs.	Bush.	Doll's.	lbs.	Ton.	lbs.	Doll's.	Doll's.
Franklin	all	11021	42674	171269	55832	11261	10077	31959	19514	51960		521328	72103	656821	7249	25014	1061	65853	1067	1030	12342	58050
Gasconade	2-5	2000	5766	14805	6528	2959	1557	4817	2032	8171	170	72077	10508	800	684	4989	315	23158	134	54	2706	5038
Washington	½	2203	9045	21651	11610	3345	1902	6385	4411	7575	80	83577	19778	25	528	4233	937	17409	332	21	4997	10766
Crawford	4-5	5120	21530	31651	30794	10650	6684	17985	12170	21186	322	237706	38752	35878	2444	12401	1004	53683	478	2192	14667	25879
Osage	1-10	670	2332	5023	2189	1207	701	1629	1324	2623	28	30138	4341	9954	85	1148	88	7940	56	33	989	2732
Pulaski	all	4000	15500	18928	21531	8879	5034	15030	11894	11352	260	236430	32838	4780	865	8821	1563	54827	143	2881	11459	25139
Miller	2-5	1534	5373	10523	6232	3168	2481	4233	4522	5890	62	57998	13841	516	2240	3106	874	16726	73	464	4676	7036
Camden	½	1169	10152	17220	12467	6514	4774	8902	8627	11120	118	128026	22588	5900	3490	6073	1319	37008	109	825	9012	13245
Laclede	all	2500	10312	12927	11528	5218	3561	9295	6420	9601	29	136829	18672	7391	6807	8475	287	30965	53	2881	11459	25139
Wright	½	1673	5495	5491	8358	3219	2809	5758	4255	4316	20	99848	16365	5200		5915	451	33632	49	8871	17802	7611
Dallas	2-5	2189	9848	10553	10093	3883	2550	3415	5342	3515	43	112548	39477	1230	7404	5230	284	27346	93	1309	6281	7943
Polk	1-5	1237	5713	11873	5454	2480	1620	2450	3435	2872	24	61600	20988	217	1509	2436	296	12042	62	1196	4370	6136
Greene	all	13785	61124	109613	113772	29076	20698	38987	39216	61306	776	1010987	288769	63830	6385	44986	5901	306751	900	134802	108797	85621
Taney	½	1093	3386	5633	5355	2634	1318	4352	2664	2889	45	75279	9707	5025	417	3390	1761	14646	57	1771	5220	5480
Barry	½	2600	8672	11183	14009	4355	2526	4448	5447	9872	120	145894	17493	375	2117	7272	873	21082	114	2204	8585	10248
Lawrence	all	4859	18239	33072	24624	8982	6250	9409	11169	19488	134	293564	68687	1040		11188	343	29678	30	5342	19500	18145
Dade	1-10	424	2146	3685	3407	934	610	1182	1333	1137	4	22596	50555	1061	2286	1357	358	6775	59	1633	2729	2340
Jasper	1-8	528	2826	5479	3638	1376	651	1659	11775	2114	12	34389	7908	770	148	892	227	6878	25	2291	2066	2836
Newton	all	4268	14355	19460	17789	6219	2949	7890	7062	18416	29	196210	31318	14690	1612	7807	894	43011	66	3331	10956	16485
McDonald	4-5	1789	7769	18587	9475	3238	1530	3366	3873	5271		116527	5296	6550	100	2865	884	21036	20	8593	13219	11234
		64682	263257	538626	375585	119597	79792	183151	166385	260674	2276	3697562	749981	821053	46370	167588	20709	831463	3920	182725	261972	347103

The foregoing Table comprises all the articles enumerated in the U. S. Census for 1850, except Barley, Buckwheat, Produce of Market Gardens, Cheese, Grass Seeds, Hemp, Flaxseed, Silk Cocoons, Maple Sugar and Molasses.

NORTH SIDE OF MISSOURI RIVER.

Extracts from the Census Returns of 1850, *showing the population and the principal agricultural products within twenty miles on each side of the Route from St. Louis, by Missouri River, Jefferson City, Georgetown, Warrensburgh and Chapel Hill, to Kanzas.*

Counties.	Proportion within 20 mls. of road.	Population	Acres of land in farms.		Value of farming implem'ts and machinery.	Cattle, incl. horses, ass's, mul's, ox'n, cows, &c.	Sheep and Swine.	Hemp.	Wool.	Wheat.	Rye.	Corn.	Oats.	Tobacco.	Flax.	Sweet and Irish Potatoes.	Products of Orchards.	Butter.	Hay.	Bees'x & Honey	Value of home manufacture.	Value of animals slaughtered,
			Imp'd.	Unim.	Dolls.	No.	No.	tons	lbs.	Bushs.	Bus.	Bush'ls	Bush.	lbs.	lbs.	Bush.	Dolls.	lbs.	tons.	lbs.	Dolls.	Dolls.
St. Charles	3-5	4582	22548	49023	48544	7874	16553	129	8411	49161	158	263200	45863	84285	1007	12791	7602	48956	948	2971	3377	37943
Warren,	all	5869	32176	85515	44102	10556	26271	1014	17090	35732	649	365496	52831	431000	3221	15971	2419	65907	730	613	11311	47302
Montgomery	3-5	3293	17034	39148	21454	6793	14838	5	12417	12702	375	206833	44972	312319	4633	7250	1603	68152	605	1459	9741	16684
Callaway	3-4	10370	69462	165371	59883	20758	45736	153	42014	52622	593	608891	138314	665100	18665	19197	10969	133027	3707	4967	29819	53364
Boone	2-5	5992	41665	72984	36510	10638	24392	768	22408	20071	1976	400793	32217	233980	8678	8745	7434	60671	1925	4640	14715	39659
Ray	1-3	3457	15568	42466	23689	5534	13786	144	9092	16001	23	218340	46214	172302	2267	4610	2515	61045	409	9792	10053	29646
Clay	4-5	8266	57524	114129	85593	16279	35576	1108	33169	40712	1616	673864	89620	16040	6717	21499	15484	94584	2367	9513	25557	75664
Platte	2-5	6736	37778	49901	75717	11062	26147	1742	23914	51627	982	737715	50957	26400	168	21122	2543	383924	1420	51485	21671	60391
Total, N. of river		48559	293755	618537	395483	89494	202299	5063	168515	278628	6372	3475132	500988	1841426	45356	111185	50569	915267	12111	88440	126244	360696

The foregoing Table comprises all the articles enumerated in the U. S. Census for 1850, except barley, buckwheat, produce of market gardens, cheese, grass seeds, hemp, flaxseed, silk cocoons, maple sugar and molasses.

SOUTH SIDE OF MISSOURI RIVER.

Extracts from the Census Returns of 1850, *showing the population and the principal agricultural products within twenty miles on each side of the Route from St. Louis, by Missouri River, Jefferson City, Georgetown, Warrensburgh and Chapel Hill, to Kanzas.*

Counties.	Proportion within 20 mls. of road.	Population.	Acres of land in farms.		Value of farming implem'ts and machinery.	Cattle, in. horses, ass's, mul's, oxen, cows, &c.	Sheep and Swine.	Hemp.	Wool.	Wheat.	Rye.	Corn.	Oats.	Tobacco.	Flax.	Sweet and Irish Potatoes.	Products of Orchards.	Butter.	Hay.	Bees'x & Honey.	Value of home manufacture.	Value of animals slaughtered.
			Imp'd.	Unim'd	Dollars	No.	No.	tons	lbs.	Bush.	Bus.	Bush'ls	Bush'ls	lbs.	lbs.	Bush.	Doll's.	lbs.	tons.	lbs.	Doll's.	Doll's.
Franklin	4–5	8817	34139	137015	44666	14426	33629		15611	41568		417105	57682	525456	5792	20011	848	52686	853	824	9373	46440
Gasconade	2–3	3331	9409	24675	10881	4931	10624		3387	13618	282	127376	17510	1332	1010	8316	526	38598	222	90	4510	8396
Osage	3–4	5028	17493	37674	16424	9956	17473	12	9933	21662	210	226038	32556	74652	1317	8601	663	59556	417	249	7416	20496
Cole	all	6696	26450	70204	32354	9704	22696	11	14126	31262	182	220173	43769	43150	5129	14671	5298	78320	1314	470	10470	28681
Miller	3–4	2872	10076	19371	11685	5938	12589	2	8478	11043	117	108744	25953	9675	4200	5823	1138	31362	135	570	8766	13191
Morgan	3–5	2790	13573	32880	17216	7342	12866		11006	7160	96	140409	32563	510	3659	5568	1085	41462	343	8495	10775	17110
Benton	1–5	1003	3698	10965	6052	2187	3444		2500	2214		30992	7983	1570	512	1289		13169	119	1304	2452	4462
Henry	1–4	1013	6164	16935	6837	2658	4277		3422	1421	45	46162	13314	8	1745	1332	356	820	223	6277	3049	4682
Cass	1–6	1015	5810	14316	6511	2190	3661	1	3079	2254	5	50163	10852	892	341	1575	327	9848	269	3671	3242	5708
Saline	1–5	1769	9407	27983	11493	3906	7251	312	4117	8429	20	107806	13069	57517	32	2924	1376	19555	519	2064	2972	9630
Lafayette	2–3	9126	51669	118161	76125	13759	28098	1640	21950	55358	580	525784	62718	50024	4538	17118	7038	103118	1572	12964	16752	46976
Johnson	all	7464	41000	105915	53060	15981	33087	66	31589	22930	535	445895	89245	900	7670	8471	936	102155	1247	30765	21369	45535
Pettis	all	5150	49112	91545	38965	11977	28625	52	25516	20000	155	519434	89915	1300	2784	11483	2197	61398	1244	14557	14623	31942
Cooper	all	12950	73880	153888	80015	24955	59128	113	42292	92666	160	997870	123840	127800	9760	25351	5997	171879	3800	12153	19938	80569
Monteau	all	6004	38866	86187	35374	14413	29699	12	21674	24540		343914	68615	39550	7621	11114	4503	63258	630	2910	22903	34308
Jackson	all	14000	49619	129688	84985	20583	43096	361	30027	56865	15	938309	124363	38920	1443	24575	2575	139622	798	4553	21669	84456
Total, S. of river	....	89028	440355	1077762	532643	164206	350194	2582	248707	411981	2402	5246174	813947	973256	57583	168222	34863	986806	13705	102116	181488	482582
T. excl. St. L. co.	....	137587	734110	1696299	928126	253500	552493	7643	417222	690609	8774	8721306	1314935	2814682	102939	279407	85432	1903075	25816	190556	307732	843280
St. Louis co.	....	104978	70982	120774	141317	19479	35148		13245	98430	2506	668210	138837	10300	1600	80691	92827	203482	14169	5953	6898	86234
Full totals	....	242565	805092	1817073	1069443	272979	587641	7643	430467	789039	1279	9389516	1453772	2824982	104539	360098	178259	2106555	39985	196509	314630	929514

The foregoing Table comprises all the articles enumerated in the U. S. Census for 1850, except barley, buckwheat, produce of market gardens, cheese, grass seeds, hemp, flaxseed, silk cocoons, maple sugar and molasses.

EXTRACTS

From the U. S. Census of 1850, *partially showing the principal agricultural products of that portion of the State which will be tributary to the traffic of the Southwest Branch.*

		First Division.			Second Division.			Third Division.		
		No.	per squ're mile.	pr. ac. imprd. land.	No.	per squ're mile.	pr. ac. imprd. land.	No.	per squ're mile.	pr. ac. imprd. land.
Whole area.....	sq. miles	4260			8680			6510		
Acres improved.....	No.	72200	17		189700	21.85		139900	25.40	
Population.....	"	19200	4.50	0.27	44700	5.15	0.23	32200	5.85	0.23
Corn and Oats.....	tons.	27453	6 44	0.38	88610	10.20	0.47	56114	10.20	0.40
Wheat, &c., &c.....	"	4054	0.98	0.06	8141	0.93	0.04	7327	1.33	0.05
Horses and Cattle.....	No.	37710	8.85	0.52	100920	11.62	0..3	71404	12.90	0.51
Sheep.....	"	20540	4.82	0.28	67340	7.76	0.35	37480	6.80	0.26
Swine	"	58506	13.73	0.81	137600	15.85	0.72	81900	14.84	0.58
Mean dist. on Br. R. R.	miles.	54			168			264		

POPULATION OF MISSOURI.

1820	1830	1840	1850	1852
66,586	140,455	383,702	682,043	724,667

The population of Missouri has thus nearly doubled every ten years. At that ratio of increase, the State will contain in 1860, over a million and a quarter inhabitants.

Area, 67,380 square miles.

Estimated value of the real and personal estate of the inhabitants: *

1850,	1852,
$137,247,707.	$150,972,477.

Nearly $210 to each inhabitant.

ESTIMATE OF MANUFACTURES.

Value of raw material,	Capital invested,	Value of annual products,
$12,408,457.	$9,194,999.	$24,250,578.

* These estimates are taken from a communication of the Secretary of the Treasury, recently published. *Ex. Doc., No.* 112, 32*d Congress*, 1*st. Session*, 1853.

STATE DEBT,

$857,000; of which $255,000 will be paid off in May and June of this year. This debt was mostly created for stock in the Bank of the State of Missouri; of which stock the State holds $960,000, and receives on it a dividend of ten per cent. per annum.

POPULATION AND GROWTH OF ST. LOUIS.

Years.	Population.	Decennial Increase.	Ratio of Increase.
1820	4,598		
1830	4,852	1,534	30 per cent.
1840	16,469	10,617	180 " "
1850	82,742	66,273	400 " "
1853	100,000, estimated.		

STEAM MARINE OF ST. LOUIS.

No. of Steamers.	Tonnage.	No. officers and crew.	Passengers carried.
131	31,838	2,340	367,793

The following remarks are extracted from the public document, published by Congress, above referred to, p. 727:—

"ST. LOUIS, MISSOURI.

"Lying upon the bank of the finest river on the continent, in latitude 38° 37′ 28″ north, and longitude 90° 15′ 30″ west from Greenwich, and backed by untold acres of land, rich in all the elements of agriculture, forests and mines, which may be made tributary to her commerce, St. Louis is entitled to important consideration in the investigation of commercial affairs on the western rivers. Having already reached an enviable position among her sister cities, she is looking westward with a system of railways, intended not only to bring all the rich agricultural and mineral treasures of the Missouri basin into her markets, but eventually to extend beyond the Rocky Ridge to the valley of the Great Salt Lake and, still farther onward, to the golden shores of the Pacific Ocean. Though these ultimate results are some years distant, yet a glance at the accompanying map will satisfy any one that a full developement of the immense resources of that portion of the Mississippi valley north and west of St. Louis, and most of which has not as yet been reduced to the first stages of culture,

but must, sooner or later, pay its tribute to the trade and commerce of St. Louis, will be sufficient to gratify the most sanguine expectations of those engaged in pushing forward the improvements tending to such an end. Whether these railways are extended beyond the Rocky Mountains or not, therefore, there is a territory, belonging to the great valley, which can scarcely avoid becoming tributary to the business of this city, much larger and more prolific in all the elements of wealth, than can be found adjacent to any other city in the West. This fact alone is decisive of the future greatness of St. Louis, provided she puts forth her energies toward the progress of the means for the exhumation of the resources of this country. Her connections with Eastern cities, through Cincinnati and Chicago (and also direct through Indiana to the Lake), are already decided upon and secured beyond contingency, as will be seen by reference to the description of canals and railways.

"This is now one of the most important of the river ports. Surrounded by an extensive back country of unsurpassed fertility, well watered and endowed with all the advantages requisite to support a dense and thriving population, St. Louis bids fair to become, at no distant day, one of the first cities in the United States in point of population and commercial wealth. It is situated on the western shore of the Mississippi River, about 196 miles above the mouth of the Ohio, 20 miles below the mouth of the Missouri, its principal affluent, and 40 miles below that of the Illinois. Still further northward, the Fever, the Wisconsin, and other rivers from the country eastward, and the Des Moines and Iowa, with some less notable streams from the west, fall into the Mississippi; conveying the rich products of the extensive prairie lands on their borders, to the markets of St. Louis. Here, these products are usually exchanged for merchandise and supplies necessary to the settlement and subsistence of a new country. Many furs are also brought down these various streams to St. Louis, and exchanged for the goods and supplies which constitute the stock-in-trade of the Western trapper and Indian trader. Above that city, these waters are navigable only by the lighter draft or smaller class of boats, while below it, the large and splendid New Orleans packets find their rapidly increasing trade. These facts involve the necessity of a transhipment of almost the entire bulk of produce and merchandise arriving at St Louis and intended for points either above or below that city, before it can proceed to its destination; and St. Louis is thus constituted the great receiving and distributing depot for all the upper country of the Mississippi and Missouri basins. To the vastness of this country, therefore, the immense fertility of its soil and its rich mineral resources, inducing an inexhaustible

tide of emigration, does St Louis owe her late rapid growth in population and prosperity.

"The city is one of the oldest French trading and military posts in the Mississippi Valley, and has been looked upon for many years as the key to the great territory to which we have referred; but, until the last twenty years, its progress was very slow. In 1840, it could claim but 16,469 inhabitants, whereas in 1850, it numbered a population of no less than 82,744 souls, showing an increase of 66,000 souls, and an average rate of duplication once in four years. She has, moreover, grown much more rapidly during the last ten years than at any former period. Thus in 1800, St. Louis had 2,000 inhabitants. During the last fifty years, her population has been doubled once in nine and a half years; during the last forty, once in nine; the last thirty, once in seven; the last twenty, once in five and a half; and the last ten, once in every four years. Such has been the almost unprecedented growth of St. Louis from natural causes. What, then, may not be expected as the result of the construction of her numerous railways, now in progress or projected, in connection with her natural advantages? The opening of these artificial routes, will give her easy access to numerous deposits of lead, iron, coal, and copper ores, within a circuit of ninety miles—equal to the wants of the whole Mississippi valley for centuries—which have not, to this time, been brought to use. The lack of necessary means of transportation has heretofore precluded the successful working of these numerous mines, though they have been known to exist in richness rarely, if ever, excelled. The completion of the 'Pacific' [and its S. W. Branch], the 'Hannibal and St. Joseph,' the 'St. Louis and North Missouri,' and other projected railways which are now determined, will open easy communication with these mineral regions, besides developing the resources of large tracts of country second to none other in agricultural richness. Owing to these promising natural features, the hidden wealth of which will be brought to light and rendered available through these stupendous lines of internal improvement, the people of St. Louis confidently anticipate a continuation of their present rate of increase during the next ten years, when her capacity will be equal to the support of nearly 500,000 inhabitants, when her mines may vie with those of Sweden and Great Britain, and her manufactures and agricultural productions, her railway and river tonnage, and her aggregate commerce, may not be exceeded by those of any other region of the world." *Andrews' Report on Colonial and Lake Trade.*—Cong. Doc., S. 112, 32d Cong., 1st Sess.

Area of six northwestern States, and land sold or otherwise conveyed on the 30th June, 1850, and the average number of acres per head, to the population of each State.

States.	Sq. Miles.	Acres.	Sold.	Acres per head.
Indiana,	33,809	21,637,760	20,126,494	20.36
Illinois,	55,405	35,459,200	24,009,728	28.00
Michigan,	56,243	35,995,520	15,779,770	40.00
Wisconsin,	53,924	34,511,360	9,736,704	32.00
Missouri,	67,380	43,123,200	15,848,171	23.16
Iowa,	50,914	32,584,960	6,072,573	31.60

Population and number to a square mile in the six States named, in 1840 *and in* 1850.

States.	Pop. in 1840.	Per Sq. Mile.	Pop. in 1850.	Per Sq. Mile.
Indiana,	685,866	20.28	990,258	29.29
Illinois,	476,183	8.59	855,384	15.45
Missouri,	383,702	5.69	682,044	10.12
Michigan,	212,267	3.77	402,401	7.15
Wisconsin,	30,945	.57	305,538	5.65
Iowa,	43,112	.84	192,247	3.77

Quantity of land sold in the six States named, for the one year ending June 30th, 1850, *according to official report.*

States.	Acres.	States.	Acres.
Indiana,	120,998.93	Missouri,	227,000.89
Illinois,	275,119.48	Wisconsin,	162,098.87
Michigan,	48,675.04	Iowa,	112,832.75

OFFICIAL ESTIMATE

OF THE NUMBER OF ACRES GRANTED BY CONGRESS FOR PACIFIC RAILROAD.

(EXTRACT.)

GENERAL LAND OFFICE, }
May 16th, 1853. }

To THOMAS ALLEN, Esq., *President Pacific Railroad.*

SIR:—

In answer to your request to be furnished with an estimate of the number of acres granted by the act, I have to state, that by a careful measurement of the route of the road, as laid down on the township plats in this office, from the maps of location received with your letter, the length of the road is found to be three hundred and fourteen (314) miles, and the quantity granted will therefore be, one million two hundred and five thousand seven hundred and sixty (1,205,760) acres, which it is believed will not vary materially from the actual quantity, when ascertained by the final adjustment of the grant.

I am, very respectfully,

Your ob't servant,

JOHN WILSON, *Commissioner.*

FORM OF STATE BOND.

UNITED STATES OF AMERICA.

$1000, Bond No. $1000, No.

Six per cent. Stock of the State of Missouri.

THE PACIFIC RAILROAD STATE BONDS.

KNOW ALL MEN BY THESE PRESENTS, that the State of Missouri is hereby held and bound unto the Pacific Railroad Company in the sum of One Thousand Dollars, which the said State hereby promises to pay in gold or silver, at the Phœnix Bank, in the City of New York, to the order of the said Pacific Railroad Company, twenty years after the date hereof, with interest at the rate of six per cent. per annum from the date of the negotiation of this bond in the hands of the holder (such date to be endorsed hereon), payable semi-annually, at the Phœnix Bank, in the City of New York, viz.: on the first days of January and July in each and every year, on the presentation and delivery of the interest coupons hereto severally subjoined. This bond is issued under authority of an act entitled "An act to expedite the construction of the Pacific Railroad, and of the Hannibal and St. Joseph Railroad," approved February 22d, 1851, a copy of which is hereto attached, and is redeemable at the pleasure of the Legislature, at any time after the expiration of twenty years from the date hereof.

IN TESTIMONY WHEREOF, and pursuant to the authority granted by said act, the Governor of the State of Missouri has signed, and the Secretary of State has countersigned these presents, and caused the Great Seal of the State of Missouri to be affixed hereto, at the City of Jefferson, in said State, this the day of A. D. 185

By the Governor,

——— ———, *Secretary of State.*

Registered in the Office of the Auditor of Public Accounts, this day of A. D. 185

——— ———, *Auditor of Public Accounts.*

FORM OF COMPANY'S BOND.

UNITED STATES OF AMERICA.

PACIFIC RAILROAD COMPANY OF MISSOURI.

CONSTRUCTION-BOND.

Interest, at seven per cent. per annum, payable half-yearly, on the first days of January and July.

Secured by mortgage of *railroads* and one million acres of *land;* convertible into stock, and receivable in payment for land.

This Certifies that the Pacific Railroad Company are indebted to ——— ——— for moneys advanced for the construction of their railroads with appurtenances, and that in consideration thereof, the said Pacific Railroad Company do hereby promise and agree to pay to or assigns, the sum of ONE THOUSAND DOLLARS, at their office in the city of NEW YORK, on the first day of July, 1873, and also interest for the same, at the rate of SEVEN per cent. per annum, semi-annually, on the first days of January and July in each and every year ensuing the date hereof until the said principal sum shall be paid, upon presentation of the annexed interest-warrants, as they severally become due at the said office.

This is one of a series of ten thousand bonds of the same character, issued and to be issued by the said Pacific Railroad Company, the payment of which is secured by a mortgage made by said Pacific Railroad Company, under authority of an act of the General Assembly of the State of Missouri, passed December 25th, 1852, entitled, "An Act to accept a grant of land made to the State of Missouri, by the Congress of the United States, to aid in the construction of certain railroads in this State, and to apply a portion thereof to the Pacific Railroad," of certain lands and premises therein described, and also of said Pacific Railroad and the South-

western Branch Railroad, together with all their appurtenances: said mortgage bearing date the first day of June, 1853, and made in trust to Henry D. Bacon, of the city of St. Louis, and George W. Riggs, Jun., and Luther C. Clark, of the city of New York, to secure the principal and interest of said bonds, which mortgage is the first and only lien upon said lands and roads, with the exception of a prior lien of the State of Missouri for a loan of her credit for $3,000,000 on said Pacific Railroad alone.

And the said company further agree, that on any day, after one year and prior to six years from the date hereof, the proprietor of this bond shall be entitled to stock of this company, at par, for the amount of half the face of this bond, in part satisfaction thereof, and to a certificate of such stock, and to receive a new bond for the other half hereof ($500), bearing the same rate of interest, and principal and interest payable at the same times and place as herein expressed.

In Witness Whereof the said company have caused this bond to be signed by their President and Treasurer, and [SEAL.] their corporate seal to be hereto affixed, at their office in the city of St. Louis, this day of 185 .

———— ————, *President*

———— ————, *Treasurer.*

COUPONS.

THE PACIFIC RAILROAD will pay to the bearer hereof, at their office in the city of New York, thirty-five dollars, on the first day of July, 185 , it being the interest to that date on their bond No.——

$35. ————, *Treasurer.*

THE PACIFIC RAILROAD will pay to the bearer hereof, at their office in the city of New York, thirty-five dollars, on the first day of January, 185 , it being the interest to that date on their bond No.——

$35. ————, *Treasurer.*

RESOLUTION.

(COPY.)

OFFICE PACIFIC RAILROAD.
St. Louis, 13th April, 1853.

At a meeting of the Board of Directors of the Pacific Railroad, held this day, among other proceedings had, the following resolution was unanimously adopted, viz.:

Resolved, That the President of this Company be authorized to negotiate a contract, to be reported to this Board for ratification or rejection, for the construction of the Southwestern Branch; and to negotiate, if possible, a loan, not exceeding $10,000,000, upon the plan in general terms set forth in his communication to the Board, of this date; and for that purpose to execute a mortgage of the Pacific Railroad and its Southwestern Branch and its appurtenances, together with the right and title of this Company to the lands granted by act of Congress of June 10th, 1852.

A true copy from the minutes of the Board.

(Attest,) SAM'L COPP, JUN.,
[SEAL.] *Sec'y P. R. R. Co.*

EXPLANATION OF THE MAP.

The design of the accompanying map, is to show the relation of St. Louis, and the works of the Pacific Railroad Company, to the great thoroughfares of the United States, embracing as well the navigable rivers of the West, as the various lines of railway already built or in progress.

The heavy lines, connecting the works of the Pacific Railroad Company with California, are laid, upon the authority of maps in the U. S. Topographical Bureau, on routes now known to be practicable. The connections east of St. Louis are with works in progress, most of which are expected to be completed within the ensuing year.

When the different lines of railroad sketched on the map are completed, or such others as shall effect the same object, the position of St. Louis as respects time, in relation to the cities named, allowing an average speed of twenty-five miles an hour, will be about as follows:

		Days.	Hours.
From St. Louis to	Boston,	2	2
" "	New York,	1	22
" "	Philadelphia,	1	17
" "	Baltimore,	1	14
" "	Washington,	1	16
" "	Charleston,	1	14
" "	Mobile,	1	00
" "	New Orleans,	1	04
" "	Detroit,		19
" "	Cincinnati,		14
" "	San Francisco,	3	8
" San Francisco to	New York,	5	6

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